

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4898 of 2021

Arising Out of PS. Case No.-197 Year-2020 Thana- ROSERA District- Samastipur

Rajesh Kumar Thakur @ Rajesh Thakur Son Of Shyam Thakur Resident Of
Village- Kali Asthan Matihani Ward No. 02, P.S.- Matihani, Dist.- Begusarai .
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2021 Heard both parties.

The petitioner seeks bail in Rosera P.S. Case No. 197 of 2020, registered for the offence punishable under Section 395 of the Indian Penal Code.

As per the prosecution case, on the point of gun, 05-06 unknown criminals committed *dacoity* in the house of informant and looted jewellery and cash and also assaulted his mother.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Kundan Kumar. No incriminating article has been recovered from possession of this petitioner. Petitioner has not been put on test identification parade till date and he is in custody since 23.07.2020. Chargesheet has already been



submitted.

Considering the facts and circumstances of the case and the fact that no incriminating article has been recovered and till date petitioner has not been put on test identification parade, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist, Rosera, Samastipur in connection with Rosera P.S. Case No. 197 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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