

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4166 of 2021

Arising Out of PS. Case No.-49 Year-2020 Thana- BARUN District- Aurangabad

Ashok Sao @ Ashok Shav Son of Shiv Pujan Sav Resident of Dehri Station
Road Kuli Quarter Dalmiya Nagar, P.S. - Dalmiya Nagar, District- Rohtas,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Aurangabad Muffasil P.S.

Case No. 49 of 2020, registered for the offence under Section
394 of the Indian Penal Code.

As per the prosecution case, on 18.02.2020 at about
7:30 PM, while the informant was returning to his house from
his bike and reached near Sone Bridge, three unidentified
miscreants riding on a motorcycle intercepted the informant and
on the point of pistol, snatched his purse containing ATM card,
PAN card, cash of Rs. 2,000/- (two thousand) and other
important papers.

It is submitted on behalf of petitioner that petitioner is
not named in the FIR. Name of petitioner has come on the basis
of confessional statement of co-accused Pappu Yadav, who has
already been granted bail by a coordinate Bench of this Court,
vide order dated 27.01.2021 passed in Cr.Misc. No. 36022 of



2020. It is further submitted that nothing has been recovered from the possession of this petitioner and till date, he has not been put on T.I.P. Petitioner is in custody since 06.06.2020. Chargesheet has already been submitted.

Considering the fact that nothing has been recovered from possession of petitioner and name of petitioner has transpired in confession of co-accused, who has already been granted bail, the bail application of petitioner is allowed. Let the above named petitioner 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 learned C.J.M., Aurangabad in connection with Barun P.S. Case No. 49 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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