

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4574 of 2021

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

Kundan Kumar Son of - Late Virendra Sah Resident of Village - Panjiyar
Tolly Ward No. - 11, P.S.- Rosera, Distt.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Buxi S.R.P.Sinha, Senior Advocate Mr. Randhir Kumar No.1, Advocate
For the Opposite Party/s	:	Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 14-07-2021

In view of sudden resurgence of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Senior Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Rosera PS Case No. 197 of 2020 registered under Section 395 of the IPC.

There is allegation that in the afternoon the informant's (jeweler) house has been broken into by five persons. They have confined the inmates and taken away all belongings.

It is submitted by learned Senior Counsel for the petitioner that the petitioner has no criminal antecedent. He is stated to be in custody since 23.7.2020. He was in fact a goldsmith working in the workshop of the informant. He is known to the informant still he has not been put on T. I. Parade even though in the FIR it is alleged that the informant has seen all the culprits. There is no recovery of any incriminating material from the petitioner.



Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM, Ist, Rosera, Samastipur in Rosera PS Case No. 197 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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