

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4889 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- SARMERA District- Nalanda

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DHANAJAY KUMAR S/O Pavitra Paswan Resident Of Village - Kusheri, P.
S. - Barbiga (Kevati) District - Shekhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subodh Kumar

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-03-2021 Heard both parties.

The petitioner seeks bail in Sarmera P.S. Case No. 150 of 2020 (GR No. 2842/2020), registered for the offence punishable under Section 394 of the Indian Penal Code.

As per the prosecution case, some unknown miscreants riding bike intercepted the vehicle of informant and looted vehicle of Ola Company, mobile and cash.

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 Prashant Kumar. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. During course of investigation, only material that has come against this petitioner is that petitioner was found near the place of occurrence on the



basis of mobile tracing and also a mobile was recovered. Petitioner is in custody since 02.09.2020. Chargesheet has already been submitted.

Considering the facts and circumstances of the case and the fact that no looted article has been recovered from possession of this petitioner and no TIP has been held till date, 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 Judicial Magistrate Ist Class, Nalanda in connection with Sarmera P.S. Case No. of 150 of 2020 (GR No. 2842/2020), 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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