

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5026 of 2021

Arising Out of PS. Case No.-377 Year-2020 Thana- NAUBATPUR District- Patna

UJJAWAL KUMAR aged about 20 years Son of Bharat Prasad Resident of
Village - Bilap, P.S.- Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-03-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 379 and other ancillary sections of the Indian Penal Code, section 27 of the Arms Act and section 3/4 of the Explosive Substances Act.

As per the prosecution case, informant got information that this petitioner and other unknown miscreants riding on four motorcycles came at the project site and opened indiscriminate firing. It is further alleged that all the accused persons snatched mobile phone and cash of Rs.5000/- from the supervisor and Roller operator of the Project/company. They also threatened of dire consequences if extortion money is not



paid.

Learned counsel for the petitioner submits that the informant is not the eye witness and the FIR has been lodged on the information given by the project Co-ordinator. There is general and omnibus allegation of demand of rangdari by all accused persons. No one sustained firearm injury in the alleged crime. Petitioner has claimed clean antecedent and he is in custody since 22.8.2020.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioner and no one sustained firearm injury in the alleged crime, let the petitioner, mentioned above, 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 Additional Chief Judicial Magistrate III Danapur in Naubatpur Police Station Case No. 377 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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