

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6385 of 2021

Arising Out of PS. Case No.-79 Year-2019 Thana- MEDNI CHAUKI District- Lakhisarai

Suriya Vind @ Suraj Vind Son of Ram Kishun Vind Resident of village-
Basgarha, Vind Toli, (Amarpur), P.S.- Mednichauki, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manohar Prasad Singh

For the Opposite Party/s : Mr.Kalyan Shankar,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 13-04-2021 Heard learned counsel for the parties through virtual mode.

The petitioner seeks bail in Medanichowki P.S. Case No. 79 of 2019, registered for the offence under Sections 395, 397 of the Indian Penal Code and later on, Section 412 of the I.P.C. was added.

As per the prosecution case, two persons on the point of pistol tied up the informant and his family members and looted various articles including ornaments, mobile phones etc. The informant claimed that there were six unknown miscreants and he can identify those miscreants on seeing them.

It is submitted on behalf of petitioner that petitioner is not named in the FIR. The name of petitioner has come during



course of investigation on the basis of confessional statement of co-accused. It is further submitted that no looted article has been recovered from the possession of the petitioner and till date, petitioner has not been put on T.I.P. It is further submitted that two similarly situated co-accused have already been granted bail by this Court, vide order dated 06.03.2020 passed in Cr.Misc. No. 77254 of 2019 (Dhananjay Kumar @ Dhananjay Kumar Verma) and order dated 13.11.2020 passed in Cr.Misc. No. 28232 of 2020 (Masudan Mahto). Petitioner claims clean antecedent and he is in custody since 06.02.2020.

Considering the fact that no looted article has been recovered from the possessions of the petitioner and petitioner has not been put on T.I.P., the bail application of petitioner is allowed. Let the above named petitioner be released 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 Additional Chief Judicial Magistrate 1st, Lakhisarai in connection with Medani Chowki P.S. Case No. 79 of 2019, 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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