

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5982 of 2021

Arising Out of PS. Case No.-693 Year-2019 Thana- HAJIPUR District- Vaishali

GAUTAM KUMAR @ GAUTAM KUMAR SINGH S/O ARUN KUMAR
SINGH RESIDENT OF VILLAGE KHANPUR PAKARI, P.S. BIDUPUR,
DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks of resumption of normal
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Section 395 of the Indian Penal Code.

The prosecution case, in brief, is that on
29.07.2019 at about 19 PM, in the evening, while the informant
was in office, in the meantime, 7-8 miscreants entered into the
office and on the point of knife, they looted Rs.15,00,000/-,



mobiles of office staff, bag containing purse, key of bike, rain coat, spectacles, A.T.M. card and other articles.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case merely on suspicion. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. No T.I. parade has been conducted. Charge sheet in the case has been submitted. The petitioner has been languishing in custody since 17.02.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Hajipur Nagar P.S. Case No.693 of 2019, subject to the condition as laid under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

And further condition that one of the bailors of the petitioner would be the family member having no criminal antecedent and that in case the petitioner is found involved in any other case of similar nature in future, the investigating officer of this case or any other competent officer may besides taking any other action pray for cancellation of bail.

(Anjani Kumar Sharan, J)

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