

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6531 of 2021

Arising Out of PS. Case No.-99 Year-2020 Thana- UDAKISHUNGANJ District- Madhepura

1. Sachin Kumar @ Sakchen Yadav aged about 23 years S/o Naresh Yadav R/o village- Balatol, Ward No. 10, P.S.- Puraini, Distt.- Madhepura
2. Santosh Kumar aged about 25 years S/o Naresh Yadav R/o village- Balatol, Ward No. 10, P.S.- Puraini, Distt.- Madhepura

... .. Petitioners

Versus

The State Of Bihar Ill Balatol, Ward No 10, Ps Puraini District Madhepura

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-04-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioners and the State.

Petitioners pray for grant of regular bail in a case registered for the offence punishable under section 392 of the Indian Penal Code.

As per the prosecution case, when the informant was going by his motorcycle, all of a sudden two unknown miscreants came on motorcycle, they intercepted and assaulted him and snatched his motorcycle, smart phone and cash Rs.15,000/-.

Learned counsel for the petitioners submits that the



name of the petitioners have come in the case on the basis of confessional statement of co-accused Prakash Kumar @ Arun Kumar. Test Identification Parade has not been carried out till date. Petitioners is in custody since 1.8.2020.

Learned counsel for the State submits that on the confessional statement of aforesaid co-accused, motorcycle has been recovered from the house of petitioner no.2.

Considering the facts and circumstances of the case and the fact that there is no recovery from the possession of petitioner no.1, let the petitioner no.1, 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 the Additional Chief Judicial Magistrate II, Udakushunganj, Madheura in Gwalapara Police Station Case No. 99 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.

In view of the recovery of motorcycle from the house
of the petitioner no.2, prayer for bail of petitioner no.2 is
refused.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

