

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9719 of 2021**

Arising Out of PS. Case No.-330 Year-2020 Thana- BAGHA District- West Champaran

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Vinod Sah @ Vinod Patel Son Of Bahadur Sah @ Mangal Patel Resident Of
Village- Hardia Chowk, P.S. Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr. Narendra Kumar Singh A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3. 19-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bagaha P.S. Case No. 330 of 2020, registered for the offence under Section 394, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 12.06.2020 at about 10:15 AM, while the informant was returning home alongwith this petitioner by a pick-up van after collecting cash of about 8-10 lacs from different centres, the petitioner, who was driver of the pick-up van, suddenly stopped the vehicle and in the meantime, four unknown miscreants came on two motorcycles and surrounded the informant and thereafter, it is alleged that they opened fire, due to which, informant sustained injury in his abdomen and thereafter, the miscreants snatched the bag from



informant containing cash & other important document(s) and fled away.

It is submitted on behalf of the petitioner that petitioner has been made accused in this case only on suspicion. No looted article has been recovered from the possession of the petitioner. Only allegation against the petitioner is that he stopped the pick-up van all of a sudden, in the meantime, four miscreants came and looted away cash and other important documents and due to stopping of the vehicle, it is suspected that this petitioner alongwith other co-accused have conspired with other accused persons and committed the crime. Petitioner has got clean antecedent and is in custody since 15.06.2020. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties, materials available on record and period of custody, the bail petition 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, Bagaha, West Champaran in connection with Bagaha P.S. Case



No. 330 of 2020, 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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