

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16086 of 2022

Arising Out of PS. Case No.-241 Year-2021 Thana- PANDAUL District- Madhubani

MURARI KUMAR S/o Snajeev Barbariya R/o Village- Dharhara, P.S.-
Andhramath, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 25.12.2021, seeks
regular bail in connection with Pandaul P.S. Case No. 241 of
2021 registered for offences punishable under Sections 392 and
414 of the Indian Penal Code.

As per the allegation made in the FIR, while the
informant was returning to his village from Jhanjharpur and had
reached near a temple just before Bhagwatipur brick kiln, four
miscreants stopped him. All the miscreants started assaulting
and snatched informant's mobile phone and motorcycle bearing
Registration No. BR32V-9992. FIR is against unknown.



Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Petitioner is not named in the FIR nor he is member of any group which is involved in committing robbery. The name of the petitioner has surfaced in the present case on the basis of confessional statement of one co-accused Surendra Kumar Sah. Petitioner is in custody since 25.12.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made in the FIR and the period of custody since 25.12.2021 and there is no likelihood of the trial to be concluded in near future. The petitioner, above named, is directed to be released on bail if an affidavit is filed on behalf of the father of the petitioner as well as on behalf of the petitioner to the effect that petitioner will not indulge in such activity in future. If such affidavit is filed, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhubani in connection with Pandaul P.S. Case No. 241 of 2021 subject to the following conditions:



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

Niraj/-

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

