

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20521 of 2022**

Arising Out of PS. Case No.-20 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

GOLU KUMAR Son of - Dhananjay Kumar Yadav Resident of Village -
Tenuwa, Police Station- Chapra Muffasil, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankur Prakash Sinha

For the Opposite Party/s : Mr. APP.

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 19-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Chapra
Muffasil P.S. Case No. 20 of 2022 registered for the offence
punishable under Section 395 of the Indian Penal Code.

As per prosecution case, some unknown miscreants
entered into Customer Service Point and took away rupees four
lakh from the cash counter. Hence, the FIR has been lodged
against unknown.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and his name transpired in
this case on the basis of confessional statement of co-accused



Mohit Kumar. He further submits that nothing has been recovered from possession of the petitioner. Learned counsel further submits that petitioner is in custody since 09.02.2022 and bears two criminal antecedents. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Except confessional statement of co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IX, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 20 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn
the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will
remain present on all dates and absence for two consecutive
dates without appropriate permission, would be a ground for
cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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