

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39030 of 2021

Arising Out of PS. Case No.-900 Year-2020 Thana- MADHEPURA District- Madhepura

MITHUN KUMAR Son of Laxman Yadav @ Laxman Yadav Resident of
Village- Rahua, Ward No. 03, P.S.- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr. Prem Kumar Jha.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-01-2022 Heard learned counsel for the parties through video conferencing.

Petitioner seeks regular bail in connection with Madhepura P.S. Case No. 900 of 2020 registered for the offence under Section 392 of the I.P.C.

The informant was intercepted by four miscreants while he was going on motorcycle along with money and the accused persons snatched the cash, Samsung tablet, mobile etc. from the informant.

Learned counsel for the petitioner submits that petitioner is not named in the First Information Report and he has been remanded in this case from Madhepura P.S. Case No. 903 of 2020 registered under Sections 25(1-b)a / 26 / 35 of the Arms Act on the basis of confessional statement of the



petitioner and another co-accused. He further submits that petitioner has not been put on T.I. Parade and no looted article has been recovered from the possession of the petitioner. The co-accused / Prabhakar Kumar has been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 38102 of 2021 and the petitioner is in custody since 18-01-2021.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that co-accused has been granted bail by a Co-ordinate Bench of this Court, the petitioner is in custody since 18/01/2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 900 of 2020 on the following conditions:-

- (i) 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 in the event of his absence on two



consecutive dates without sufficient reason, his bail bond shall liable to be cancelled by the court below.

(ii) 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.

(Anil Kumar Sinha, J)

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