

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40277 of 2021**

Arising Out of PS. Case No.-339 Year-2020 Thana- BELDOUR District- Khagaria

GAUTAM KUMAR Son of Ramkishun Yadav @ Ram Krishna Yadav  
Resident of Village - Mali, P.S.- Beldour, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate  
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

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

The petitioner has preferred this application for grant of regular bail in a case registered under section 394 of the Indian Penal Code.

As per the prosecution case, four accused persons on two motorcycles assaulted and robbed the informant of Rs. 37,172/ which he was carrying.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. Referring to the order of the learned trial court, it is submitted that the name of the petitioner transpired on the basis of the mobile surveillance report and on the statement of a spy. No incriminating article has been recovered from the petitioner's possession who is in



custody since 5.2.2021 and chargesheet has been submitted in the case. Cognizance has been taken by the learned court below. The petitioner has only one antecedent which is under the Bihar Prohibition and Excise Act.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the investigation of the case having concluded and the petitioner having remained in custody for over 11 months, the petitioner is directed to be enlarged on bail in connection with Beldour P.S. Case no. 339 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Khagaria.

**(Partha Sarthy, J)**

Spd/-

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