

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40870 of 2021

Arising Out of PS. Case No.-349 Year-2020 Thana- BALIYA District- Begusarai

BITTU KUMAR @ PIYUSH KUMAR Son of Anil Kumar @ Anil Prasad Singh Resident of Village - Bhairwar, P.S.- Muffasil (Lakho), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of 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 22.03.2021 seeks regular bail in connection with Balia P.S. Case No. 349 of 2020 registered for offence punishable under Section 395 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case in brief is that on 28.12.2020, while the informant Chhatish Kumar was going to Hathidah with Rs. 23,000/- to purchase husk with Sujit Kumar and Sanjay Mahto, at about 4:45, two persons driving Bullet motorcycle and Platina



motorcycle surrounded the pick-up van of the informant bearing Registration No. BR-10GA-1167 and on the point of pistol they snatched Rs. 23,000/- along with mobile phone of Sujit Kumar.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has been arrested in this case on the basis of information of spy and there is no corroborative evidence against the petitioner. Till date no. T.I.P. has been done. He further submits that petitioner has no criminal antecedent and he is in custody since 22.03.2021.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts and circumstances of the case as well as there is no allegation of tampering the evidence or influencing the witness against the petitioner and the fact that the trial is not going to be concluded in near future, the petitioner above named is directed to be enlarged to 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 Chief Judicial Magistrate, Begusarai in connection with Balia P.S. Case No. 349 of 2020 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.

(Purnendu Singh, J)

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