

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32186 of 2022

Arising Out of PS. Case No.-240 Year-2021 Thana- BARBIGHA District- Sheikhpura

Monu Kumar @ Kitta, Son of Naresh prasad Resident of Village -
Dyanakchak, P.S.- Barbigha, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-09-2022 Heard Mr. Sheo Nandan Prasad, learned counsel
appearing on behalf of the petitioner and Mr. Satyendra Prasad,
learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Barbigha P.S. Case No. 240 of 2021, for the offence punishable
under Section 394 of the Indian Penal Code.

The prosecution case, in brief, is that four miscreants
intimidated the informant on the point of pistol and robbed his
motorcycle bearing Engine No. HA11EDMHF19017, Chassis
No. W12214HF21461.

Learned counsel appearing on behalf of the petitioner
submitted that the name of the petitioner surfaced in the present
case on the basis of confessional statement of co-accused Prince



Kumar. He further submitted that the alleged robbed motorcycle has been recovered from village-Gopalpbad. The alleged motorcycle has not been recovered on the basis confessional statement of the petitioner. The petitioner is in custody since 08.04.2022.

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

Considering the aforementioned facts and circumstances of the case, the name of the petitioner surfaced in the present case on the basis of confessional statement of co-accused Prince Kumar, the said motorcycle has not been recovered from the possession of the petitioner rather the same has been found near the road side, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Barbigha P.S. Case No.240 of 2021, subject to the following conditions:-

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



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

(3) 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.

(4) 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 bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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