

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35073 of 2022

Arising Out of PS. Case No.-119 Year-2016 Thana- MUFFASIL District- Aurangabad

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Prince Kumar Singh @ Chhotu Singh Son Of Girendra Prasad Singh Resident
Of Village- Bahera, P.O. And P.S.- Haidarnagar, District- Palamu
(JHARKHAND)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Manoj Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 26-09-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard Mr. Shailesh Kumar Singh, learned counsel for
the petitioner as well as learned Additional Public Prosecutor for
the State.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Aurangabad Muffasil P. S. Case No. 119
of 2016 registered for the offences punishable under Section 392
of the Indian Penal Code.

The prosecution base is based on a written report
filed by the informant alleging therein that three unknown
persons came on a motorcycle and at the point of pistol, they



looted a motorcycle and cash of Rs. 25,000/- and a mobile.

Learned counsel appearing on behalf of the petitioner submitted that the F.I.R. has been instituted against the unknown miscreants, however, during the course of investigation, the name of the petitioner has transpired on the confessional statement of co-accused Vivekanand Mahto from whose possession, the looted motorcycle and other incriminating materials have been recovered, however, the said Vivekanand Mahto has already been allowed the privilege of bail by learned co-ordinate Bench of this Hon'ble Court in Cr. Misc. No. 12499 of 2018 vide order dated 17.05.2018. So far the petitioner is concerned, he is in custody since 28.04.2022 and till date neither the petitioner has been put on Test Identification Parade nor any incriminating material has been recovered from his person or possession.

On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and taking into account the fact that the name of the petitioner has transpired on the confessional statement of co-accused Vivekanand Mahto and he has already been granted bail by learned coordinate Bench of this Hon'ble



Court and the petitioner having fair antecedent, is in custody since 28.04.2022, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Muffasil P. S. Case No. 119 of 2016, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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