

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49891 of 2022

Arising Out of PS. Case No.-399 Year-2022 Thana- BARACHATTI District- Gaya

GOLU KUMAR Son of Birju Yadav R/V- Kahudag, P.S- Barachatti, Dist-
Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Supplementary affidavit has been filed on behalf of the
petitioner. Let the same be kept on record.

In the light of the statement made in supplementary
affidavit, counsel for the petitioner is permitted to make necessary
correction in paragraph-3 of the main application in course of the
day.

Learned counsel for the petitioner is directed to remove
the defect(s) as pointed out by the office within a period of four
weeks.

The petitioner seeks bail in a case registered under
Section-392 of the Indian Penal Code.

Allegedly, while the informant along with cleaner after
loading the mango on a Pick up Van was going towards Sasaram, in
the way, the miscreants intercepted him. Thereafter, the informant



and his Khalasi got down. It is further alleged that pick up Van and other belongings of the informant were looted away by the miscreants.

It has been submitted that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 21-05-2022. Charge sheet has already been submitted in this case. The petitioner is not named in the FIR. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has not been put on TIP to ascertain his participation in the alleged offence.

On behalf of the State, it is submitted that the petitioner is not named in the FIR.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gaya in connection with Barachatti P.S. Case No. 399 of 2022.

(Sudhir Singh, J)

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