

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47117 of 2022

Arising Out of PS. Case No.-76 Year-2021 Thana- VIDYAPATINAGAR District- Samastipur

Golu Kumar @ Golu Bind @ Golu Singh, aged about 31 years, male, Son of
Jitendra Singh Resident of Village - Chamtha, P.S.- bachhawara, District -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Adv.

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 23-01-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with S.T. No. 56/2022 arising out of Vidyapati Nagar P.S. Case No. 16/2021 registered for the offence punishable under Section 395, 397 of the Indian Penal Code (for brevity 'IPC').

As per the prosecution case, it is alleged that while the informant along with one Balram Sahni and Vivek Sahni were riding on their motorcycle, five persons on three motorcycle surrounded and intercepted them and on a point of pistol snatched Rs. 2000/- (two thousand) and golden locket.

It is submitted by the learned counsel for the petitioner that the First Information Report (for brevity 'FIR') has been instituted against unknown persons. However, the name of the petitioner has been remanded in this case from Vidyapati Nagar P.S. Case No. 77 of 2021 on 10.09.2021 and since then he is in custody. It is next submitted that looted article has not been recovered from the petitioner.



Petitioner has nine criminal antecedents, as per paragraph No. 3 of the bail application. It is next submitted that co-accused persons namely, Amarnath Mahto, Rahul Kumar & Sunny Kumar, have been allowed bail in Cr. Misc Nos. 3692/2022, 22830/2022 , 42323/2022 respectively.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the fact that petitioner is not named in the FIR nor he has put on TIP, petitioner's name has surfaced on the confessional statement of co-accused and no looted or incriminating article has been recovered from possession of the petitioner, similarly situated c-accused have been allowed bail, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Dalsinghsarai (Samastipur), in connection with S.T. No. 56/2022 arising out of Vidyapati Nagar P.S. Case No. 16/2021, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.



This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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