

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 62530 of 2022

Arising Out of PS. Case No.-195 Year-2022 Thana- SABAUR District- Bhagalpur

GOUTAM KUMAR SON OF LATE SAHEB CHARAN SINGH @ SAHAB
CHARAN RAM R/O VILLAGE- CHOUDHARY DIH, MOHAMDABAD,
P.S.- LODIPUR, DISTT.- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr Ram Naresh Ray, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 07-02-2023

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner seeks bail in Sabour Police Station (for brevity, **PS**) Case No 195 of 2022 dated 30.05.2022 initially registered for the offence punishable under Section 379 of Indian Penal Code (for brevity, **IPC**) but later on added with Sections 395, 412 of IPC.

The informant has alleged that his pick up van was stopped by 8 miscreants on four motorcycles. They have taken away his mobile phone, cash of Rs 10,000 and some documents.

Learned counsel for the petitioner submits that petitioner's implication has emerged in the investigation on the alleged confessional statement of co-accused Sourav Kumar @ Bhola. First Information Report is against unknown persons. There is no recovery of any incriminating article from the petitioner. Having no antecedent, based on confessional statement of co-accused having no veracity, the petitioner is in custody since 02.06.2022.



Learned APP has opposed the prayer for bail.

Having considered the rival submissions, no recovery, period of custody, clean antecedent and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in Sabour PS Case No 195 of 2022 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.

(Madhuresh Prasad, J)

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