

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37640 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- CHHABILAPUR District- Nalanda

Tullu Kumar @ Tallu Kumar S/o Allindia R/o vill - Sandh, P.S. -
Karaiparsurai, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Chhabilapur P.S. Case No. 20 of 2023 instituted for the offences
under Section 395 of the Indian Penal Code.

3. As per prosecution case, 10-11 unknown miscreants
came at the farmyard of the informant and after tying his legs
and hands, loaded the paddy on the pick-up van and fled away
from there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is not named in the FIR. The name of
the petitioner has come into light on the basis of confessional



statement of co-accused Satya Prakash @ Munnibaba, which has no evidentiary value in the eyes of law. The petitioner has got no concern with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. He further submitted that the other co-accused has already been granted bail by this Court vide order dated 06.12.2023 passed in Cr. Misc. No. 78271 of 2023. The petitioner is in custody since 19.01.2024 and has six criminal antecedents.

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

6. Considering the facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chhabilapur P.S. Case No. 20 of 2023, Subject to following conditions:

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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