

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54711 of 2024

Arising Out of PS. Case No.-145 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

Devendra Kumar @ Chhotu Kumar S/o Krishna Yadav R/o vill - Jhunathi,
P.O. - Asadhi, P.S. - Muffasil, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Ranjan

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Muffasil P.S. Case No. 145 of 2024
registered for the offences punishable under Section 395 of the
Indian Penal Code.

3. Allegedly, while the informant was coming from
his village Kahuara to Nawada on his motorcycle, in the
meantime, five persons intercepted him and on the point of
pistol, they snatched Rs. 20,000/- and other valuables.

4. It is contended on behalf of the petitioner that the
FIR has been instituted against unknown miscreants. However,



during the course of investigation, the name of the petitioner surfaced on the confessional statement of the co-accused. Barring the confessional statement, there is no material suggesting complicity of the petitioner in the present crime. It is next contended that owing to a pending criminal case of identical nature, the name of the petitioner has been implicated in this case. The petitioner has surrendered in the court on 07.05.2024. The petitioner has neither been put on Test Identification Parade nor any incriminating article has been recovered from his conscious possession.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case is based on confessional statement, neither there is Test Identification Parade nor any incriminating material has been recovered, coupled with the period of custody and the submission of charge-sheet, let the petitioner, named above, 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 learned Additional Chief Judicial Magistrate-1st, Nawada in connection with Muffasil P.S. Case No. 145 of 2024, subject to the condition that one of the bailors



will be the close relatives 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.

(v) The court below shall verify the criminal antecedent of the petitioner and, in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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