

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56777 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Govind Kumar, Son of Ram Iswar, R/V- Village- Bintoli Aara, P.S.- Aara
Town, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Advocate
		Ms. Rupa Kumari, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-09-2024 Heard Mr. Yugal Kishore, learned Adocate for the
petitioner and learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Muffasil P.S. Case No. 112 of 2024
registered for the offence punishable under Section 392 of the
Indian Penal Code.

3. Allegedly while the informant was going to market
on his motorcycle, in the meantime, four unknown miscreants
riding on two motorcycles came there and intercepted him. On
protest being made, the informant was assaulted by the
miscreants and thereafter they looted the mobile and cash of
Rs.20,000/- from the informant and fled away.

4. Learned Advocate for the petitioner contended that



the F.I.R. has been instituted against unknown miscreants. However, during the course of investigation, co-accused Suraj Kumar, was apprehended by the police and it is the Suraj Kumar, on whose confession the name of the petitioner sprung up, save and except the confessional statement, there is no material suggesting the complicity of the petitioner in the present case. He further contended that neither the petitioner has been put on Test Identification Parade nor any incriminating material has been recovered from his person or possession. The petitioner bears fair antecedent and now he has been incarcerated since 12.04.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that during the course of investigation materials have come suggesting the complicity of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case against the petitioner is based upon confessional statement of co-accused; moreover the crime, in question, is triable by the Magistrate and the investigation of the crime is complete, coupled with the fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/-



(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Muffasil P.S. Case No. 112 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.

(Harish Kumar, J)

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