

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.77723 of 2018**

Arising Out of PS. Case No.-220 Year-2018 Thana- KHIJARSARAI District- Gaya

Sudeep Das @ Soudep Das Son of Raju Das @ Mahabir Rao, Resident of  
Village- Shekhpur, P.S.- Pandwa, District- Hugali West Bengal.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Deepak Kumar, Adv.

For the Opposite Party/s : Mr.Sri Parmanand Kumar (APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

3      17-01-2019                      Heard learned counsel for petitioner and learned  
counsel for the State.

Petitioner, who is in custody, seeks bail in  
connection with Khizersarai P.S. Case No. 220 of 2018  
registered for the offences punishable under Sections 461, 379,  
411, 414/34 of the Indian Penal Code.

Informant has alleged that while he and his wife  
after withdrawing Rs. 90,000/- from the bank kept in a bag in  
the dickey and went to the medical store meanwhile two culprits  
broke open his dickey and took away the amount and were  
trying to flee and upon alarm being raised by the informant they  
were chased and apprehended and from their possession the  
remaining amount Rs. 24,945/- was recovered and also tools for  
breaking the lock was also recovered and seized.

It has been submitted on behalf of the petitioner  
that he is innocent and has committed no offence. He has been



falsely implicated in this case on basis of suspicion. Petitioner has no criminal antecedent and is in custody since 18.08.2018.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected at this stage.

However, **after Six months of judicial custody** the petitioner shall be enlarged on bail by the court below on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 4<sup>th</sup>, Gaya in connection with Khizersarai P.S. Case No. 220 of 2018 subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

Accordingly, this Criminal Miscellaneous is here by disposed of.

**(S. Kumar, J)**

Rajiv/-

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