

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.25473 of 2020**

Arising Out of PS. Case No.-81 Year-2020 Thana- SASARAM NAGAR District- Rohtas

Shashi Singh @ Bobby Kumar S/o Ramdhari Mahto R/o- Village- Delalganj,
P.S.- Sasaram (Town), District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satyendra Pandey, Advocate

For the Opposite Party/s : Ms.Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 07-12-2020 Heard learned counsel for the petitioner and Ms. Sucheta
Yadav, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Sasaram (Town) P.S. Case No. 81 of 2020 registered for the offences punishable under Sections 392 of the Indian Penal Code and Section 25(1-b)a, 35 of the Arms Act.

Learned counsel for the petitioner submits that as per the First Information Report three miscreants had intercepted the informant and looted away the cash from his possession, however, he has not identified any of the miscreants. This petitioner is not named in the FIR and he has been brought in this case by taking him on remand on 21.05.2020. The name of the petitioner has been involved on the basis of his own confessional statement, however, there is no recovery from his possession and till date no identification has been made. Confessional statement has been obtained in police custody.



As regards the three previous cases on his head, it is submitted that the petitioner has been granted bail in Sasaram Town P.S. Case No. 238 of 2019 and 105 of 2020 and his bail application is pending in Sasaram Town P.S. Case No. 764 of 2019.

On the other hand, learned APP for the State has opposed the prayer for regular bail of the petitioner as according to learned APP for the State the petitioner has confessed his guilt before police.

Having regard to the facts and circumstances of the case, wherein this petitioner has been taken on remand in this case on 21.05.2020, till date no identification of the petitioner has been done and there is no recovery from possession of the petitioner and further one of the co-accused Aman Kumar is said to have been granted bail by learned court below in this case, let the petitioner above-named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram, Rohtas in connection with Sasaram (Town) P.S. Case No. 81 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and



(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

And further condition that 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 step for cancellation of bail bond of the petitioner.

And further condition that the petitioner shall appear in course of trial on each and every date fixed in the matter and two consecutive defaults in putting appearance without there being any cogent reason, the learned court below shall take steps to cancel the bail bond of the petitioner.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Rajeev

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

