

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16177 of 2021**

Arising Out of PS. Case No.-122 Year-2020 Thana- SURYAPUR District- Rohtas

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CHHOTE CHOUBEY S/O RAM NIWAS CHOUBEY R/O MOHALLA
LALA MOHALLA, P.S-BIKRAMGANJ, DISTRICT-ROHTAS.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-06-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Surajpura P.S. Case No. 122 of 2020 registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story the informant is an employee of R.B.L. Finserve Ltd. and on 20.08.2020 after finishing meeting he was on his way then three accused persons on an Apache Motorcycle



overtook him and snatched his bag containing Rs. 15,000/-, five Redmi mobiles, Samsung Tab, Bank Passbook and other important documents of bank.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on mere suspicion. It is further submitted that the petitioner is not named in the F.I.R. and till date he has not been put on T.I.P. Learned counsel submits that the petitioner is in custody since 22.08.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that from possession of the petitioner a sum of Rs. 3,000/- has been recovered which in fact belongs to the petitioner, the further submission is that according to the informant his mobile was of Redmi company but from possession of the petitioner one mobile phone of Samsung company has been allegedly recovered but till date the petitioner has not been put on T.I.P., he is in custody for almost 10 months, investigation against him is complete but the trial is not likely to be concluded in near future and the only case stated against him



in paragraph '3', he is said to be on bail, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Shri Lal Bihari Paswan, Judicial Magistrate, First Class, Bikramganj, District-Rohtas in connection with Surajpura P.S. Case No. 122 of 2020 subject to the condition as laid down under Section 437 (3) 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, of 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 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. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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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'.

