

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28200 of 2021

Arising Out of PS. Case No.-61 Year-2015 Thana- PHENHARA District- East Champaran

DIPPU SINGH @ DIPPU KUMAR SINGH S/O AWADHESH SINGH R/o
village- Banjaria, P.S.- Madhuban, Distt.- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 392/34 of the Indian Penal Code but the police submitted charge-sheet under Section 395, 398, 120B of IPC, Section 17 CLA Act and Section 10/13 of the UPA Act.

When the informant was returning from his sister's home, eight miscreants came on four motorcycles, committed marpit and snatched the motorcycle of informant and fled away.

Learned counsel for the petitioner submits that petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that petitioner has been made accused on the confessional statement of co-accused. He submits that nothing has been recovered from the conscious



possession of the petitioner and no TIP has been done as yet. He further submits that petitioner bears six criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 09.12.2020.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Phenhara P.S. Case No. 61 of 2015, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at



liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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