

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36734 of 2021

Arising Out of PS. Case No.-499 Year-2017 Thana- LAHERIMUHALLA District- Nalanda

Rocky Kumar Son of Gopi Jamadar Resident of Village- Fajilapur, P.S.-
Islampur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-12-2021 Let the defects, if any, be removed within four
weeks of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Laheri P. S Case No. 499 of 2019 for the offences
punishable under Section 392 and 395 of the Indian Penal
Code.

According to the prosecution case, informant
(Dharmendra Kumar) while he was working in his office, three
miscreants entered into the office and on the point of pistol,
took away cash of Rs. 2,47,130/- , mobile, Labtop and cash
counting machine etc..



Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in this case on the basis of confessional statement of co-accused of Hasana. Petitioner is not named in the F.I.R. Nothing has been recovered from possession of the petitioner. Except confessional statement of co-accused, there is nothing against the petitioner and no T.I.P has been done by the prosecution. He is in jail custody since 31.01.2021.

The learned A.P.P opposed the prayer for bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Laheri P.S. Case No. 499 of 2017, subject to the following conditions:-

1. 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 the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.



2. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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 petitioners have concealed their 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.

(Rajesh Kumar Verma, J)

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