

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40084 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- AMAS District- Gaya

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MUKESH KUMAR SINGH S/o- Vinay Singh @ Sachidanand Singh
Resident of Village- Simri, P.S. - Amas, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Amas P.S. Case No. 18 of 2021 registered for the offence under Sections 379 of the Indian Penal Code.

The tractor of the informant is said to have been stolen by unknown persons.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. In fact, the petitioner has not been named in the F.I.R and merely on the basis of confessional



statement of the co-accused, namely, Vipin Kumar, this petitioner has been apprehended in this case. Save and except the confessional statement of the co-accused, no cogent material has come during course of investigation against the petitioner. Neither anything incriminating has been recovered from the house or conscious possession of the petitioner nor he has been put on T.I.P. till date. Moreover, the co-accused, namely, Vipin Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 29.10.2021 passed in Cr. Misc. No. 32143 of 2021. The petitioner is rotting in judicial custody since 27.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghatti (Gaya) in connection with Amas P.S. Case No. 18 of 2021 with 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

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.

(Rajesh Kumar Verma, J)

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