

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45166 of 2021**

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

BAM BAM SINGH @ BAMBAM SINGH S/o Vijay Singh R/o Village-
Dumari, P.S.- Parwalpur, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 13-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Laheri P.S. Case No. 499 of 2017 registered for the offences punishable under Section 392 of the IPC.

According to prosecution case, the informant who was Supervisor in Delhiberi company stated that on 20.11.2017 three persons entered into the office having pistol in his hand and took



away cash worth Rs. 2,47,130/-, mobile, laptop and cash counting machine.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has been transpired in this case on the basis of confessional statement of co-accused Hasan @ Sanjay. No incriminating article has been recovered from conscious possession of the petitioner. Till today, no TIP has been conducted. It is further submitted that co-accused Md. Sonu @ Md. Jafar has been granted bail by a co-ordinate Bench of this court vide order dated 05.04.2018 passed in Cr. Misc. No. 11477 of 2018. Similarly, co-accused Chhotu Mahto has been granted bail by a co-ordinate Bench of this court vide order dated 13.04.2018 passed in Cr. Misc. No. 21450 of 2018. Similarly, co-accused Md. Raja has been granted bail by a co-ordinate Bench of this court vide order dated 14.06.2018 passed in Cr. Misc. No. 32663 of 2018. Petitioner is in custody since 14.04.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as



well as period of custody, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Nalanda at Biharsharif 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

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 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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