

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49086 of 2021**

Arising Out of PS. Case No.-231 Year-2020 Thana- JADIA District- Supaul

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RUPESH KUMAR @ KANJHARKA S/o Keshri Yadav R/o village- Parwaha
Ward No.- 1, P.S.- Jadia, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

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

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

2 17-12-2021 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 Jadia

P.S. Case No. 231 of 2020 registered for the offence under

Sections 394, 397 and 34 of the Indian Penal Code.

Three unknown persons are said to have looted

away cash of Rs. 11,850/- along with one mobile on the

point of gun from the informant.

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, this petitioner has been made accused 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 any looted article or anything incriminating has been recovered from the possession of the petitioner nor he has been put on T.I.P. till date. The petitioner is rotting in judicial custody since 16.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner is having two more cases 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 A.C.J.M.-V, Supaul in connection with Jadia P.S. Case No. 231 of 2020 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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