

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10689 of 2021**

Arising Out of PS. Case No.-42 Year-2019 Thana- KARPI District- Jehanabad

PRITAM KUMAR @ LADEN SON OF LATE RAMANUJ SINGH
RESIDENT OF VILLAGE- NADAURA, P.S.- KURTHA, DISTRICT-
ARWAL

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 21-05-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in connection with Karpi P.S. Case No. 42 of 2019 registered for the offences punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story, the informant had withdrawn Rs. 40,000/- and was going to his home. When he reached Tikula Badhar Pool three miscreants came on a motorcycle without having any registration number and started assaulting the informant and one of them pointed pistol upon him and snatched money bag and mobile and fled away on motorcycle.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the petitioner has been named in this case in confessional statement of co-accused Suraj Kumar @ Neta. Learned counsel submits that no incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner is in custody since 06.05.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is submitted that the name of the petitioner has transpired in the confessional statement of the co-accused Suraj Kumar @ Neta who has already been granted bail by a learned co-ordinate Bench of this Court in Cr. Misc. No 39866 of 2020 , there is no recovery of any incriminating articles from the possession of this petitioner and the petitioner has not been identified by the informant, he has remained in custody since 06.05.2020 in the cases stated in paragraph '3' he is said to be on bail, there being no submission on behalf of the State that release of the petitioner at this stage is in any way likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri Rakesh Kumar Rakesh, learned A.C.J.M.-IV, Arwal in connection



with Karpi P.S. Case No. 42 of 2019 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

arvind/Rishi-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

