

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69550 of 2021**

Arising Out of PS. Case No.-257 Year-2014 Thana- SIWAN CITY District- Siwan

INDAL SAH Son of Mahesh Sah Resident of Village- Turpatti, P.S.- Hathua,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh
For the Opposite Party/s : Mr. Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 22-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 379 of the Indian Penal Code but later on Section 392 IPC was added.

This is the second attempt of the petitioner to approach before this Court for bail. Earlier, vide order dated 28.10.2021 passed in Cr. Misc. No. 25874 of 2021, the prayer for bail of the petitioner was rejected on the ground of suppression of criminal antecedent.



The prosecution case, in brief, is that while the informant was going after withdrawal of money from the Bank kept in a green colour bag and reached at Andar Dhala Bridge in the meantime two persons boarded on an Apache Motorcycle snatched the bag and fled away.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case merely on suspicion. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. No T.I.P. has been conducted to identify the actual and real culprit. The petitioner has been languishing in custody since 20.06.2020.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Siwan Town P.S. Case No.257 of 2014, subject to the following conditions :

- (1) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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