

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8023 of 2022

Arising Out of PS. Case No.-61 Year-2021 Thana- BAKHARI District- Begusarai

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KESHAV ISHWAR @ ADITYA RAJ S/o Ranjeet Ishwar @ Ranjeet Singh
Resident of Village- House No.25, Ward No.17, Bakhri, P.S.- Bakhri, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 16-08-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in connection with Bakhri

P.S. Case No. 61/2021 registered for the offences punishable

under Sections 392 of the Indian Penal Code.

As per prosecution case, the petitioner and others

looted the informant by stopping the truck and took away

Rs.40,000/-, ATM Card and Aadhar Card etc. by pointing the

weapon.

Learned counsel for the petitioner submits that

petitioner is innocent and has falsely been implicated in this



case. The petitioner is not named in the FIR and no incriminating articles has been recovered from the possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner had been arrested in Bakhri P.S. Case No. 120/2021 for offences under Section 25 (1-b)a, 26 and 35 of the Arms Act and the Bakhri Police after arresting the petitioner in the said case concocted so called charge sheet showing his involvement in three cases including the present case. The petitioner is languishing in custody since 18.08.2021 and bears criminal antecedent of 07 cases in which he is on bail. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. The petitioner was not put on T.I. Parade.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, nothing has been recovered from the possession of the petitioner, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail



bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bakhri P.S. Case No. 61/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

(v) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.



(vi) Petitioner shall not live the territorial jurisdiction
of the concerned trial court without appropriate permission of
the court concerned.

(Alok Kumar Pandey, J)

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