

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10038 of 2022**

Arising Out of PS. Case No.-168 Year-2021 Thana- HASPURA District- Aurangabad

Rajnish Kumar Son Of Sanjay Kumar R/O Village- Kishunpur, P.S.- Haspura,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Haspura
P.S. Case No. 168 of 2021 registered for the offence under
Section 395 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 14.12.2021.

The allegation against the petitioner is to commit
dacoity, while committing so taken away the valuables of the
informant including cash.

Learned counsel appearing on behalf of the petitioner
submitted that the name of the petitioner surfaced on the basis



of confessional statement of co-accused, namely, Dinesh Paswan. It has been submitted that nothing surfaced during course of the investigation, which may connect the petitioner with the present occurrence. It has further been submitted that petitioner is a man of clean antecedent and was not subjected for TIP. While concluding the argument, it has been submitted that charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the F.I.R.

Considering the facts and circumstances as mentioned above, as nothing incriminating recovered during course of investigation, which may connect the petitioner with present set of occurrence coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Haspura P.S. Case No. 168 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Daudnagar, District- Aurangabad, subject to the following conditions:

“(i)The trial court shall verify the criminal antecedent of the petitioner at the



time of furnishing bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Sanjay Kumar, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

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