

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14874 of 2022**

Arising Out of PS. Case No.-500 Year-2018 Thana- BIDUPUR District- Vaishali

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Jitendra Singh @ Jitendra Rai Son of Surendra Rai R/O Village- Litiyahi,
P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 06-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP 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 Bidupur

P.S. Case No. 500 of 2018 registered for the offence under

Sections 394 and 412 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in



custody since 07.09.2021.

The allegation against the petitioner is to cause hurt, while committing robbery and taken away private vehicle bearing Registration no. BR 31 G 4120, alongwith a tempo (without registration number), which were seized in connection with Chowk P.S. Case No. 448 of 2018 registered u/s 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel appearing on behalf of the petitioner submitted that it is highly improbable that informant is known to the petitioner by name. It is submitted that implication is an afterthought for the reason that petitioner is involved in 11 excise cases, where he is on bail in all cases. It is further submitted that the alleged looted vehicles were not recovered from the possession of the petitioner. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail and submitted that petitioner is named in the F.I.R.

In view of the facts and circumstances, as mentioned above, as recovery of looted vehicles were not made from the



possession of the petitioner coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bidupur P.S. Case No. 500 of 2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur/concerned Court, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That 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 Sunny Kumar, who is the ‘*Sarhu*’ of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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