

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9641 of 2022

Arising Out of PS. Case No.-231 Year-2020 Thana- MANSI District- Khagaria

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BABLU SINGH SON OF RAMANAND SINGH RESIDENT OF
VILLAGE- BANGALIYA, P.O.- ROHIYAR, P.S.- MANSI, DISTRICT-
KHAGARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Om Prakash Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

6 20-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Mansi
P.S. Case No. 231/2020 registered for the offences punishable
under Section 392 of the Indian Penal Code.

As per prosecution case, the informant's motorcycle,
ATM card, mobile phone, cash Rs.5,000/- and other important
documents have been snatched by the unknown persons.

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. The petitioner is
languishing in custody since 11.12.2021 and bears no criminal
antecedent. Neither snatched mobile phone nor any motorcycle



has been recovered from the conscious possession of the petitioner and he is not involved in the said crime. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioner further submits that the petitioner has made communication 17 times from snatched mobile in question after three months of the occurrence i.e. from 15.11.2020 to 05.12.2020.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that as per CDR of the petitioner, it is clearly indicated that the petitioner has utilized the snatched mobile for the purpose of communication.

Considering the facts and circumstances of the case, period of custody, petitioner is not named in the FIR, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail **if trial is preferably not concluded within six months from the date of receipt of the order** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate-1st Class, Khagaria in connection with Mansi P.S. Case No. 231/2020, 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.

(Alok Kumar Pandey, J)

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