

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21210 of 2021

Arising Out of PS. Case No.-95 Year-2019 Thana- ASHTHAWAN District- Nalanda

SARBOTTAM KUMAR SON OF SIDHESHWAR PRASAD RESIDENT OF
VILLAGE- DAYAMCHAK (DAMCHAK), P.S.- SARE, DISTRICT-
NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 27-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 07.06.2019,
seeks regular bail in connection with Asthawan P.S. Case No. 95
of 2019, for the offence punishable under Sections 392 of the
Indian Penal Code.

The prosecution case, in brief, is that informant used
to do the work of collection of money from different shops.
Accordingly, on 18.04.2019, he had collected Rs. 79,679/-,
when he was returning from Barbiga to Biharsharif, in the way
near Goiethwa river, four accused persons boarded on two



motorcycles intercepted him and snatched his collected money as well as his mobile phone.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the petitioner is not named in the F.I.R. He was arrested in course of investigation on 18.04.2019 and since then he is in custody and he has not been put on T.I.P.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case and looking into the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Asthawan P.S. Case No. 95 of 2019, subject to the condition that the petitioner will appear before the S.H.O. of the concerned Police Station daily at 9.00 A.M and the S.H.O is required to send attendance of the petitioner, on monthly basis, to the Superintendent of Police, Nalanda at Biharsharif till conclusion of the trial, if there is even



a single day default, the bail bonds of the petitioner shall, automatically, be cancelled as well as subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

manish/-

U		T	
---	--	---	--

