

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10191 of 2022**

Arising Out of PS. Case No.-810 Year-2020 Thana- SONEPUR District- Saran

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DASHARATH KUMAR @ AKASH KUMAR S/o- Dwarika Rai Resident of
Village- Pravejabad, P.S.- Sonpur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 15-06-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 392 of the Indian Penal Code.

The petitioner and others are said to have looted
the mobile and cash of Rs. 18000/- of the informant on the
point of gun.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that on the basis
of confessional statement of the co-accused, Rahul Kumar,
the petitioner has been made accused in this case. He further
submits that nothing incriminating has been recovered from



the conscious possession of the petitioner nor the petitioner has been put on T.I.P. by the prosecution as yet. He further submits that similarly situated persons, namely, Rahul Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 18.05.2022 passed in Cr. Misc. No. 3004 of 2022. The petitioner is rotting in judicial custody since 02.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sonpur P.S. Case No. 810 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled



by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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