

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17833 of 2022**

Arising Out of PS. Case No.-166 Year-2021 Thana- SARMERA District- Nalanda

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Pintu Kumar @ Pittu Kumar Son of Deepak Paswan Resident of village -  
Naya Tola Jurabganj, P.S.- Kodha, District - Katihar, Bihar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anup Kumar Pandey, Advocate  
For the Opposite Party/s : Mrs. Madhuri Lata, A.P.P.

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

2      26-07-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be  
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 356, 379, 34 of the Indian  
Penal Code.

According to prosecution case, the informant namely  
Asha Devi gave her fardbeyan before the S.H.O. of Sarmera  
police station alleging therein that on 02.08.2021 when the  
informant along with her daughter Jyoti Kumar, withdrawn  
Rs.50,000/- from Punjab National Bank, Sarmera Branch, and  
after marketing, kept the money in a plastic bag and were  
returning to their home on foot. At about 16.40 O'clock, on  
N.H. 33, near Jarasandh Temple, Sarmera, two persons on a



Pulsar motorcycle came from behind and the pillion rider snatched the plastic bag in which money was kept from informant's daughter and fled away towards Barbigaha. The informant can only see registration number of motorcycle bearing 8371.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of self confessional statement of the petitioner. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and the petitioner remanded in the present case from Dharhara P.S. Case No. 154 of 2021 on 23.10.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Sarmera P.S. Case No. 166 of 2021 corresponding to G.R. No. 4336 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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