

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18929 of 2022**

Arising Out of PS. Case No.-422 Year-2019 Thana- KOILWAR District- Bhojpur

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ASHISH KUMAR @ BIPU KUMAR @ BIPUL KUMAR SON OF BINOD
SINGH R/O VILLAGE- MARIYARA, P.S.- KOILWAR, DISTRICT-
BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jata Shankar Jha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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

2 04-08-2022 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 case relates to commission of loot on the
petrol pump on the point of gun in which Rs. 92456/- is said
to have been looted away by the miscreants.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case on the basis of suspicion. He further
submits that the petitioner has not been named in the F.I.R.
but his name has transpired in this case on the basis of his
self confession during course of investigation. Save and



except his confession, no cogent material has surfaced against him during the investigation. He further submits that nothing 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 the co-accused, namely, Chotu @ Manish Singh has already been granted bail by a co-ordinate Bench of this Court vide order dated 01.12.2021 passed in Cr. Misc. No. 20781 of 2021. The petitioner is rotting in judicial custody since 17.06.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two 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 Koilwar P.S. Case No. 422 of 2019 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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