

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18402 of 2022

Arising Out of PS. Case No.-372 Year-2016 Thana- SHEKHPURA District- Sheikhpura

Srikant Sao S/o Late Chandirak Sao Resident of Village- Bhadour, P.S.- Hilsa,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-07-2022 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 Section 395 of the Indian Penal
Code.

According to prosecution case, on 26.12.2016 in the
night the informant Wakil Sao was on duty at Sahnaura Railway
Gumti No.13/C and was listening Radio in his Railway Gumti
Cabin, in the meantime 4-5 unknown persons entered in his
cabin and assaulted the informant and took away Cachora
company mobile with Idea SIM and anatched black colour
Jacket, emergency torch, purse, Rs.500/- and Railway I.D. Card
and locked him after tying hand and foot. It is further alleged



that they all closed railway crossing gate and looted the people passing through the road.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused namely, Raj Babbar Sao @ Gabbar @ Gabarra. He further submits that in fact the petitioner was remanded in this case on 12.03.2021 from Nawada Town P.S. Case NO. 412 of 2018. 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.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedents 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 Sheikhpura



P.S. Case No. 372 of 2016, G.R. No. 1503 of 2016, 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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