

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20478 of 2022**

Arising Out of PS. Case No.-147 Year-2021 Thana- DINARA District- Rohtas

ANUP KUMAR Son of Jaminder Paswan Resident of Village - Amaithi, P.S.-
Sanjhauli, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr.Murli Dhar

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 20-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Dinara
(Bhanas) P.S. Case No. 147 of 2021 registered for the offences
punishable under Sections 392 of the Indian Penal Code.

As per prosecution case, the informant along-with
his brother in law was going to his village by motorcycle. It is
further alleged that the motorcycle has been taken away by the
miscreants on the gun point.

Learned counsel for the petitioner submits that
petitioner is in custody since 08.10.2021. Petitioner bears
criminal antecedent of one case. Charge sheet has already been



submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner is not named in the F.I.R. Name of present petitioner has sprang up on the confessional statement of co-accused Munna Kumar. Seizure list has not been prepared as per law. No any material or cogent evidence against the petitioner to demonstrate or connect the petitioner in the present case.

The learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, nature of allegation charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. III, Bikramganj, Rohtas in connection with Dinara (Bhanas) P.S. Case No. 147 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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