

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21495 of 2022

Arising Out of PS. Case No.-325 Year-2021 Thana- MUFFASIL District- Aurangabad

Prakash Kumar Singh @ Prakash Banna, Son of Late Bhagwan Singh,
Resident of village - New Area Tola Tekari Road, P.S.- Aurangabad Town,
District - Aurangabad. Permanent Address - Resident of village - Chakua,
P.S.- Kutumba, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 07-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Muffasil P.S. Case No. 325 of 2021 registered
for the alleged offences under Section 392 of the Indian Penal
Code.

As per prosecution case, the informant was robbed of
his car by unknown miscreants at gunpoint. When the police
gave chase, the miscreants fled away leaving behind the car, one
motorcycle and a mobile phone. The name of petitioner
transpired during investigation as one of the co-accused persons.



Learned counsel for the petitioner submits that the petitioner has been named in this case on suspicion as he was not apprehended from the spot and no recovery has been made from him. His name came up for the first time in the confessional statement of the petitioner himself and the co-accused Nikhil Kumar in Kutumba P.S. Case No. 12/2022. The recovered motorcycle and the mobile phone do not belong to the petitioner. The petitioner is in custody since 31.01.2022. Charge-sheet has been submitted against the petitioner. The petitioner has got criminal antecedent of three cases and he is on bail in all the three cases.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner is having criminal antecedent.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the period of custody and submission of charge-sheet against the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Muffasil P.S. Case No. 325/2021, subject to the



conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

