

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30080 of 2021**

Arising Out of PS. Case No.-283 Year-2020 Thana- JOKIHAT District- Araria

ANKIT RAJ Son of Kumar Prabhat @ Tutu Yadav Resident of Village - Kajo
Mahto Tola, Toufir, Police Station - Muffasil, District - Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh, Advocate

For the Opposite Party/s : Mrs.Meena Singh, APP.

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

3 27-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Jokihat
(Mahalgaon) P.S. Case No. 283 of 2020 registered for the
offences punishable under Section 392 of the IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and he has falsely been
implicated in the present case merely on the basis of suspicion.
It is further submitted that nothing has been recovered from



conscious possession of the petitioner. He further submits that for the same occurrence, another case has been instituted i.e. Forbesganj P.S. Case No. 646 of 2020 in which petitioner has also been made an accused. He further submits that co-accused Banti @ Shivshankar Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 23.12.2021 passed in Cr. Misc. No. 36052 of 2021. Petitioner is in custody since 07.12.2020.

The learned Additional Public Prosecutor vehemently opposed the prayer of bail submitting that petitioner carries three more cases in his credit.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 283 of 2020, 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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