

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22620 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- CHANPATIA District- West Champaran

KRISHNA SHRIVASTAVA S/o Late kailash Shrivastava R/o village -
Patkhauli, P.S. - Patkhauli, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mrs.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-07-2022 Learned counsel for the petitioner is permitted to make necessary correction in para 1 of the petition during course of the day.

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 Chanpatiya P.S. Case No. 03 of 2022 registered for the offences punishable under Sections 420, 379 of the IPC.

As per prosecution case, on 28.12.2021 the informant had gone to Bank to withdraw money where one stranger helped him in filling withdrawal form amounting to Rs. 52,000/- and the said stranger left the bank before leaving the informant and started keeping eye on him. It is further alleged



that said stranger along with other boy snatched Rs. 52,000/- from the informant and fled away from there. The FIR has been registered against unknown.

Learned counsel for the petitioner submits that petitioner was arrested in Chanpatia P.S. Case No. 05 of 2022 and got recorded his confessional statement and on the basis of said confessional statement the petitioner has been implicated in the present case too. Petitioner is in custody since 29.01.2022 and bears criminal antecedent of five cases. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence. He further submits that petitioner has committed no offence and he has falsely been implicated in this case due to police mechanism. No incriminating article has been recovered from possession of the petitioner.

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

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering the 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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 03 of 2022, 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 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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