

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26162 of 2022

Arising Out of PS. Case No.-18 Year-2020 Thana- PATORI District- Samastipur

RAJBIR SINGH @ CHHOTU S/o Anil Kumar Singh R/o village- Bisha,
balmiki Nagar, P.S.- Balmiki Nagar, District- West Champaran (Betiya),
State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Shahpur Patori P.S. Case No.18/2020 instituted under
Section 395 of the Indian Penal Code.

As per the allegation in the FIR, the petitioner is part
of the Bank dacoity in LIC, Sahpur, Patori Branch in which
Rs.10,71,803/- was looted. The name of the petitioner came in
the confessional statement of one Manjit Kumar Choudhary.

The case was instituted on 20.01.2020 and as per the
record Manjit Kumar Choudhary was arrested on 02.03.2020
and on his confessional statement the name of the petitioner



cropped up and is in custody since 19.10.2020.

Learned counsel for the petitioner submits that although his name come in the confessional statement, there has not been any recovery from his part. He also submits that some of the co-accused have since been granted the privilege of bail.

The petitioner is accused in five criminal cases of same nature in different districts.

Considering the aforesaid act/attitude of the petitioner, this Court as first instance was not inclined to grant him privilege of bail. However, in view of the fact that there has not been any recovery from his part, his name has come up in the confessional statement of one Manjeet Kumar Choudhary who has since been released on bail, this Court deems it appropriate that the petitioner be released after framing of the charges.

Let the petitioner be released on bail after framing of charge on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Shahpur Patori P.S. Case No.18/2020 to the satisfaction of learned A.C.J.M.,IV, Samastipur, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his/her bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of trial to mark his/her presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his/her bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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