

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36122 of 2021**

Arising Out of PS. Case No.-195 Year-2019 Thana- GOPALPUR District- Gopalganj

BABLU KUMAR PRASAD Son of Prabhu Prasad Resident of Village -
Lakdi Madhopur, P.S.- Basantpur (Lakdi Naviganj O.P.), District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey, Adv

For the Opposite Party/s : Mr.A.P.P.

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

8 11-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

The informant has alleged that his employee's Laptop, cash amounting to Rs 20,000/- and two mobile phones have been looted at gunpoint regarding which he has received telephonic information from his employee.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. The name of the



petitioner has been transpired on the basis of the confessional statement of co-accused, namely, Golu Kumar @ Golu Kumar Singh. He further submits that nothing has been recovered from conscious possession of the petitioner and till date no T.I. Parade has been conducted by the prosecution and the police, after investigation, submitted chargesheet against the petitioner. He further submits that the co-accused, namely, Golu Kumar @ Golu Kumar Singh has been granted bail vide order dated 09.11.2020 in Cr. Misc. No.28986 of 2020 and another co-accused, namely, Manish Patel @ Manish Kumar Patel @ Manish Kumar has been granted bail vide order dated 16.03.2021 in Cr. Misc. No.4129 of 2021 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 17.07.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries thirteen more cases other than the present one.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Gopalpur Police



Station Case No.195 of 2019, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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