

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28494 of 2022

Arising Out of PS. Case No.-358 Year-2021 Thana- UCHKAGAON District- Gopalganj

Ankit Singh @ Ankit Kumar Singh @ Gyanendra Pratap Son of Tej Bahadur Singh, Resident of village - Kalwariya, P.S.- Guthani, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-08-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the offences punishable under Section 395 of the Indian Penal Code.

According to prosecution case, six unknown accused persons in two motorcycles reached at Jewellery shop of the informant and looted 800 grams gold, 10-11 kg. Silver alongwith Rs.40,000/- cash from the shop. He further alleged that the accused persons entered into my next door shop in which the shopkeeper Mukul Sony was present there and they also looted about 90 grams. Jewellery of gold, about 4 kg. Of Silver and Rs.20,000/- cash and thereafter all accused persons



were fled away with looted articles.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused namely, Golu Kumar. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no TIP has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.02.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that one case pending against the petitioner.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Uchakagaon P.S. Case No. 358 of 2021, 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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