

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28263 of 2022

Arising Out of PS. Case No.-768 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Sanjay Singh @ Sanjay Kumar Singh Son Of Late Mangal Singh R/O- Ward
No.-9, Siri Ghat Andar Kila, Near Haji Liyas Partk, Hajipur, P.S.- Hajipur,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-11-2022 Learned counsel for the petitioner is permitted to

remove the defects, as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in a case

registered for the offences punishable under Sections 420,

379/34 of the Indian Penal Code.

As per prosecution case, in brief, is that on

31.08.2021 at about 12 hours, a phone call was received by the

informant and it was told that there was a talk of selling of

motorcycle about three months back. The informant and Ajit

Kumar came at Gandhi Chowk on a motorcycle and his friend

withdrew Rs. 2,20,000/- from Current Account. Rajiv Kumar



told through phone that you would come at Ramashish Chowk then the informant reached there. It is further alleged that a Alto car and a Scorpio vehicle reached there and snatched the bag containing the said amount.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case only on the basis of suspicion. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired only on the basis of confessional statement of co-accused Rajiv Kumar Choudhary. He further submits that nothing has been recovered from the possession of the petitioner.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Court below where the case is pending in connection



with Hajipur P.S. Case No. 768 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 witness, 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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