

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39956 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- PIPRA District- East Champaran

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BABUL KUMAR @ BABLU KUMAR Son of Sri Ram Singh Resident of
Village - Jasauli, P.S. - Kathaiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Adv

For the Opposite Party/s : Mr.Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-01-2022 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 the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Pipra
P.S.Case No.135 of 2020 registered for the offence under
Sections 392 and 307 of the Indian Penal Code and Section 27
of the Arms Act.

The prosecution case in short is that four miscreants
on two motorcycles entered in the C.S.P. of S.B.I. near Bakhari
Bazar and looted away Rs. 40,000/- (forth thousand) cash, one
Laptop, mobile phones and some documents.

Learned counsel appearing for the petitioner submits



that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. He further submits that the name of the petitioner has been transpired on the basis of the confessional statement of co-accused. He further submits that the no any incriminating article has been recovered from conscious possession of the petitioner or the house of the petitioner. He further submits that co-accused, namely, Rahul Kumar has been granted bail vide order dated 21.08.2021 in Cr. Misc. No.30402 of 2021 another co-accused,namely, Anil Kumar Singh has been granted bail vide order dated 14.12.2021 in Cr. Misc. No. 30733 of 2021 by different Coordinate Bench of this Hon'ble Court. Petitioner is in custody since 24.12.2020.

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

Considering the aforesaid facts, 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Pipra P.S.Case No.135 of 2020 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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