

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30253 of 2022

Arising Out of PS. Case No.-70 Year-2020 Thana- SANJHOLI District- Rohtas

SAROJ SINGH S/o Sitaram Singh R/o Mohalla- Jai Prakash Nagar, Ward No. 1, P.S.- Aurangabad (Town), District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Anand, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 395 of the Indian Penal Code and Section 27 of the Arms Act.

The case relates to commission of loot with informant by the unknown miscreants including the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has not been named in the F.I.R. but on the basis of self confessional statement of the petitioner which was recorded in another case being Mohania P.S. Case No. 240 of 2020 before the police, his name transpired in this case during investigation. He further submits



that, in fact, neither anything incriminating has been recovered from the conscious possession of the petitioner nor the petitioner has been put on T.I.P. by the prosecution as yet. Moreover, the co-accused, namely, Ranji Kumar @ Giri @ Ranji Kumar Giri, Jitendra Kumar @ Jitendra Yadav, Gautam Tiwari have already been granted bail by a co-ordinate Bench of this Court vide order dated 25.04.022, 28.02.2022 and 28.02.2022 passed in Cr. Misc. No. 44544 of 2021, 45506 of 2021 and 54630 of 2021, respectively and another co-accused, namely, Kundan Kumar Singh has also been granted bail by this Court vide order dated 11.04.2022 passed in Cr. Misc. No. 46221 of 2021. The petitioner is rotting in judicial custody since 31.08.2020.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Sanjhouli P.S. Case No. 70 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 canceled 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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