

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31416 of 2022

Arising Out of PS. Case No.-568 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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DHANANJAY SINGH @ DHANANJAY KUMAR SINGH S/o Ishwar Singh
Resident of Village- Digghi, P.S.- Nathnagar (Madhusudanpur), District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-09-2022 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

offence punishable under Section 395 of the Indian Penal Code.

As per prosecution case, a dacoity was committed in

the house of the informant and a number of articles of gold and

silver and cash amount of Rs. 1,50,000/- were looted.

Learned counsel appearing for the petitioner submits

that the petitioner has clean antecedent and he has falsely been



implicated in the present case. Further submits that in fact the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of the confessional statement of the co-accused, namely, Rajan Kumar. Further submits that nothing has been recovered from possession of the petitioner and till date no TIP has been conducted by the prosecution and the co-accused, namely, Dular Mahto, from where the recovery has been made, has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 23.08.2022 in Cr. Misc. No.26517 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 03.02.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Kotwali (Tilka Manjhi) P.S. Case No. 568 of 2021, 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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