

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29751 of 2022

Arising Out of PS. Case No.-337 Year-2019 Thana- BELHAR District- Banka

Sanjay Das Son Of Jogendar Das R/O Village- Shampur Daka, P.S.-
Shambhuganj, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-08-2022 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 Sections 414, 120(B) of the Indian
Penal Code.

According to prosecution case, in brief, is that on
30.10.2019, the informant along with his team nabbed the
petitioner and four others, who assembled to commit loot in the
Bank of India, situated at Basmata and also recovered a pulsar
motorcycle. It is further alleged that on demand, they could not
produce any valid paper regarding the said motorcycle.

Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that prior a case was lodged vide Belhar P.S. Case No. 336 of 2019 for the same occurrence. He further submits that nothing has been recovered from the conscious possession of the petitioner and only on the basis of suspicion the petitioner has falsely been implicated in the present case. He further submits that similarly situated, co-accused, namely, Rupesh Das and Md. Siddique have been granted bail by Court below vide order dated 21.09.2020 and 06.02.2021. The petitioner is in custody since 14.01.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Belhar P.S. Case No. 337 of 2019, 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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