

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32422 of 2022

Arising Out of PS. Case No.-192 Year-2019 Thana- SIDHWALIYA District- Gopalganj

Bablu Kumar Prasad @ Bablu Prasad S/o Prabhu Prasad Resident of Village-
Lakdi Madhopur, P.s.- Basantpur (Lakdi Naviganj O.P.), District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

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 Section 392 of the Indian Penal
Code.

According to prosecution case, in brief, is that a
Consumer Service Centre, came at the door of informant. On
05.10.2019, one Prauman Kumar asked for Rs.20,000/- to
distribute the customer. Thereafter, three unknown miscreants
came there riding over two motorcycles, one woman is coming
to withdraw money. Later on, one of the miscreants entered into



the running shop of the informant and on the point of Arms took away worth Rs.20,000/- from the locker of the shop and one of the miscreants snatched away H.P. Laptop and mobile of the informant.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused Golu Kumar @ Golu Kumar Singh. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no TIP has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Golu Kumar @ Golu Kumar Singh has been granted bail by a co-ordinate Bench of this Court vide order dated 13.11.2020 passed in Cr. Misc. No. 28915 of 2020 and another co-accused namely Angad Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 19.01.2022 passed in Cr. Misc. No. 56873 of 2021. The petitioner is in custody since 03.03.2021.

The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries thirteen criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, 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 Sidhwalia P.S. Case No. 192 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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