

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.41577 of 2021**

Arising Out of PS. Case No.-10 Year-2021 Thana- SIRDALA District- Nawada

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Amarjit Singh @ Amarjeet Kumar @ Bhuletan, S/O Ajay Singh, R/O Village-
Fathepur, P.S-Sirdala, District-Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr.Anil Chandra, Advocate
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 14-02-2022 Learned counsel for the petitioner undertakes to re-

move the defects as pointed out by the Stamp Reporter within

four weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr. Jiten-
dra Kumar Singh, learned APP for the State.

The petitioner in the present is seeking regular bail in
connection with Sirdala P.S. Case No. 10 of 2021 registered for
the offences punishable under Section 394 of the Indian Penal
Code. The petitioner has got two criminal antecedents and has
remained in custody in connection with this case since
03.02.2021.

Learned counsel for the petitioner submits that as per
the prosecution story, the miscreants blocked the road and when



the Scorpio vehicle of the informant stopped then four boys armed with Katta and knife surrounded his vehicle, started assaulting them showing the fear of Katta and knife. The miscreants snatched the key of the vehicle and after assaulting the informant, they took away the vehicle and one mobile phone containing two SIM cards, one ATM card, gold chain and cash of Rs. 10,000/-.

It is submitted that from certain information about the Bolero which was following the Scorpio, the co-accused Gulshan Kumar was arrested. From possession of said Gulshan Kumar, one mobile was recovered and on his disclosure about his other three associates, the Bolero vehicle in which the miscreants were following the informant was also recovered from possession of Gopal Kumar and later on the looted Scorpio was also recovered as per the statement of the arrested accused.

Learned counsel submits that the Scorpio was not recovered from his possession and there is no other material to connect him with this case, moreover, the two co-accused namely Gulshan Kumar and Gopal Kumar @ Pappu Kumar have been granted bail by a learned co-ordinate Bench of this Court in Cr. Misc. No. 33675 of 2021.

Mr. Jitendra Kumar Singh, learned A.P.P. for the State



has opposed the prayer for bail of the petitioner. It is pointed out that the petitioner has got two criminal antecedents and in paragraph '3' it is not stated that the petitioner is on bail in those cases. At this stage, learned counsel for the petitioner informs that the petitioner has got bail in one of the cases out of two.

Considering the fact that the co-accused namely Gulshan Kumar and Gopal Kumar @ Pappu Kumar have been granted bail by a learned co-ordinate Bench of this Court, so far as this petitioner is concerned, he has not been identified by conducting any Test Identification Parade, there is no recovery of any incriminating article from his possession and he has remained in custody for over one year, investigation against him is complete, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Nawada in connection with Sirdala P.S. Case No. 10 of 2021, subject to the conditions as laid down under Section 437(3) of the Cr.P.C.

And further condition that henceforth once in every two months the petitioner shall mark his attendance before the S.H.O. of Sirdala police station in the District of Nawada and shall keep on furnishing his complete whereabouts and mobile



number to the S.H.O. If he is required to go outside the jurisdiction of the police station in connection with any employment etc. then also he will furnish his address and other information to the S.H.O. Non-compliance with this condition shall be reported by the S.H.O. of Sirdala police station to the learned court below and steps shall be taken for cancellation of the bail of the petitioner.

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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

