

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42321 of 2021

Arising Out of PS. Case No.-235 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

SAROJ SINGH Son of Sitaram Singh Resident of 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, Advocate.

For the Opposite Party/s : Mr. Ramchandra Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 31.08.2020,
seeks regular bail in connection with Mohania P.S. Case No.
235 of 2020 for the offence punishable under Section 395 of the
Indian Penal Code.

The prosecution case, in brief, is that when the
informant was returning from Motihari, at Katrakala Bridge his
Tavera got punctured and when the informant was trying to
change the punctured wheel, six unknown persons came there
and looted them. The accused persons snatched Rs.18000/- and



other articles from the informant and also took away his Tavera car. It is further alleged that the name of the petitioner has been taken by another co-accused Ranjit Kumar.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the name of petitioner has surfaced in this case on the basis of his confessional statement made in connection with Mohania P.S. Case No. 240 of 2020 which in police custody. Nothing has been recovered from the possession of the petitioner. Petitioner is in custody since 31.08.2020.

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

Considering the aforementioned facts and circumstances of the case, period of custody of the petitioner, nothing has been recovered from the possession of the petitioner, there is no allegation of tampering with the evidence or influencing the witnesses and there is no chance of completion of trail in near future due to COVID-19, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the



satisfaction of the learned CJM, Kaimur at Bhabua in connection with Mohania P.S. Case No. 235 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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