

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34226 of 2022

Arising Out of PS. Case No.-344 Year-2021 Thana- BALIYA District- Begusarai

SHUBHAM KUMAR @ KHAKHRA S/o Raushan Singh R/o village- Simha
Uttarwadi Tola, P.S.- Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 392, 411 and 413 of the Indian
Penal Code.

According to the prosecution, two miscreants came
to the informant and on the point of gun, they snatched his
mobile phone and the other one of them drove the pick up
back towards Begusarai.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case on the basis of suspicion. He further
submitted that, in fact, the petitioner has not been named in



the F.I.R. rather his name has transpired in this case on the basis of confessional statement of the co-accused, Piyush Kumar Jha. He further submits that, in fact, neither anything incriminating has been recovered from the conscious possession of the petitioner nor the petitioner has been put on T.I.P. by the prosecution as yet. He further submits that the petitioner is arrested in connection with Town P.S. Case No. 746 of 2021 and remanded in this case 22.03.2022 and since then he is in custody.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries six more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Balia P.S. Case No. 344 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 canceled 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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