

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44463 of 2021**

Arising Out of PS. Case No.-403 Year-2020 Thana- TEGHRHA District- Begusarai

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AMIT KUMAR @ CHHOTU KUMAR @ CHHOTUA S/o Ram Sagun
Mahto R/o village- Malpur, P.S.- Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Maharaj, Adv

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 21-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Teghra P.S.Case No.403 of 2020 registered for the offence under Section 394 of the Indian Penal Code.

According to prosecution case, four unknown miscreants assaulted the informant and his friend by means of butt of pistol and took away pickup van of the informant.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the name



of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Gulsan Kumar and Prince Kumar Jha @ Kari. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that till date no T.I. Parade has been conducted and the police, after investigation, submitted chargesheet against the petitioner. He further submits that co-accused, namely, Bindan Roy @ Bindan Kumar Roy has been granted bail vide order dated 24.11.2021 in Cr. Misc. No.29891 of 2021 and other co-accused, namely, Jitendra Kumar Rai and Mintu Rai @ Mintu Yadav have been granted bail vide order dated 30.11.2021 in Cr.Misc. No.31254 of 2021 by different Coordinate Benches of this Hon'ble Court. Petitioner is in custody since 14.03.2021.

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

Considering the aforesaid facts and 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 learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S.Case No.403 of 2020 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 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.

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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