

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45465 of 2021

Arising Out of PS. Case No.-422 Year-2020 Thana- BIDUPUR District- Vaishali

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MITHUN KUMAR Son of Mahesh Sahni Resident of Village - Shahpur
Khurd, P.s.- Goraul, (kathara O.P.), Distt.- Vaishali at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.APP.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Bidupur P.S. Case No. 422/ 2020 registered for the offences punishable under Section 392 of the IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and he has falsely been implicated in the present case only on the basis of self confessional statement made before the police in connection with Baligaon P.S. Case No. 146/ 2020. He further submits that



nothing has been recovered from conscious possession of the petitioner. The police after investigation submitted charge sheet against the petitioner and petitioner is in custody since 26.02.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries five criminal antecedent.

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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 422/ 2020, 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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