

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46221 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- SANJHOLI District- Rohtas

KUNDAN KUMAR SINGH Son of Sri Amrendra Singh Resident of Village
and P.S. - Jamhar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-04-2022 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 learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 395 of the Indian Penal Code and Section 27 of Arms Act.

The FIR is against unknown. Aadhar Card, Pan Card, Driving licence, three mobile phones, a cash amount of Rs. 5,000/- and Maruti Breeza Car were looted away from the informant on 19.07.2020.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He has falsely been



implicated in the present case only on the basis of confessional statement of co-accused, namely, Saroj Singh. He further submits that nothing has been recovered from conscious possession of the petitioner and till date no T.I. Parade has been conducted by the prosecution and the similarly situated co-accused, namely, Jitendra Kumar @ Jitender Yadav @ Kanhaiya Singh @ Kanhaiya Yadav, Gautam Tiwary and Vivek Kumar @ Munna have been granted bail vide order dated 28.02.2022 in Cr. Misc. No.45506 of 2021 and analogous cases by a Coordinate Bench of this Hon'ble Court and the petitioner is in custody since 05.03.2021.

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

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Sanjhauli Police Station Case No.70 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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