

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39378 of 2022**

Arising Out of PS. Case No.-272 Year-2021 Thana- AMARPUR District- Banka

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BILLA SINGH @ BILLA @ CHHOTU Son of Diwakar Singh Resident of  
village - Kathail, P.S.- Amarpur, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Dhirendra Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      30-09-2022                      Heard learned counsel for the petitioner and learned  
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The case is registered under sections 392 and 411  
of the Indian Penal Code, in connection with Amarpur P.S. Case  
No. 272 of 2021.

The prosecution story, in brief, is that the  
informant Chhotu Kumar Mandal along with co-driver  
Parmeshwar Ray was going on 09.06.2021 to Sultanpur carrying  
mangoes on his pick-up van and when they reached near Kathel  
Canal Diversion, the petitioner and three others looted money  
bag carrying Rs. 9000/- and a mobile from the informant and  
also a mobile and a silver chain from co-driver on the point of



gun.

Mr. Dharendra Kumar, learned counsel for the petitioner submits that although the petitioner is in custody since 11.1.2020 (as stated in para-10 of the bail application) till filing of the bail application, no Test Identification Parade was conducted nor anything has been recovered from his conscious possession. It is his last submission that on the confessional statement of co-accused Pankaj Kumar Sah, this petitioner was taken into judicial custody and said Pankaj Kumar Sah has since been granted the privilege of bail in Cr. Misc. No. 10598 of 2022 on 15.6.2022 (Annexure-P/2 to the bail application).

Mr. Jitendra Kumar Singh, the learned APP on the other hand opposes the bail and submits that in the recent days such kind of occurrence has become common and as such some deterrence is necessary.

Considering the fact that name of the petitioner has come in the confessional statement of Pankaj Kumar Sah who has since been released on bail, is in custody since 11.1.2022, no Test Identification Parade was conducted nor anything was recovered from his conscious possession and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail with condition in view of the fact that he has



criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Banka or where the case is pending, in connection with Amarpur P.S. Case No. 272 of 2021 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall leave his/her district for a period of three months(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station (where he/she will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;



(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/Ajay Singh

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