

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37124 of 2022

Arising Out of PS. Case No.-535 Year-2021 Thana- BIHIA District- Bhojpur

Indal Kumar Son Of Rameshwar Yadav R/O- Vill- Bihiya Gao, P.S.- Bihiya,
Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bihiya P.S. Case No. 535 of 2021 lodged under Sections 392,
412 of the I.P.C.

As per the prosecution case, the allegation of robbery
is there in the F.I.R. The said F.I.R. has been lodged against
unknown accused persons.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that his name has been figured in this case on the basis of
disclosure made by a private detective. He further submits that

subsequently, the Police has taken confession of the petitioner in which one motorcycle, mobile and Rs. 40,000/- cash has been recovered from his possession. He submits that the mobile and motorcycle belongs to the petitioner. He also submits that the recovered article was not put on T.I.P. by the Police nor the petitioner was put on T.I.P.

Learned counsel for the petitioner further submits that petitioner is in custody since 06.02.2022, charge sheet has already been framed in this case. Upon his criminal antecedent, learned counsel for the petitioner further submits that till filing of the present case, antecedent of the petitioner was clean but after filing of the present case, his name has been forwarded in 2 more cases as such there is 2 more cases pending against the present petitioner. He submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him by this Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Bhojpur at

Ara in connection with Bihiya P.S. Case No. 535 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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