

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38265 of 2022**

Arising Out of PS. Case No.-103 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

Himanshu Singh Son Of Manish Kumar Singh @ Manoj Singh R/O Village-
Neknam Tola, P.S.- Barahara, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

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

3 21-09-2022 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.

The petitioner, who is in custody since 22.06.2021, has renewed his prayer for bail in connection with Sessions Trial No. 209 of 2021 arising out of Ara Muffasil P.S. Case No. 103 of 2021 having earlier been dismissed as withdrawn by order dated 19.05.2022 in Criminal Miscellaneous No. 70341 of 2021.

Learned counsel for the petitioner submits that in fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of self confessional statement of the petitioner and confessional statement of co-accused persons namely Himanshu Singh and Satyajit Kumar @



Sajit. He further submits that the money was recovered from the possession of the petitioner is not looted amount and the same was his maternal grandmother of the petitioner and she withdrew case of Rs. 1,00,000/- from Punjab National Bank, Gajrajgan on 03.05.2021. He further submits that co-accused person namely Aryan Raj @ Rahul Singh has been granted bail by this Court vide order dated 10.03.2022 in Cr. Misc. No. 44873 of 2021, another co-accused person namely Ajeet Kumar Rai has been granted bail by this Court vide order dated 13.04.2022 in Cr. Misc. No. 60590 of 2021 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.06.2021.

Vide order dated 31.08.2022, a report was called for with regar

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries three 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/- (Rupees 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



Sessions Trial No. 209 of 2021 arising out of Ara Mufassil P.S.
Case No. 103 of 2021, 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 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 witness, 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 antecedents, 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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