

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49026 of 2021**

Arising Out of PS. Case No.-23 Year-2021 Thana- RAGHOPUR District- Vaishali

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MUKESH KUMAR Son of Sri Naresh Rai Resident of Village- Ebrahimbad,
P.S.- Raghopur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Griyaghey, Adv.
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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

3 23-03-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Raghopur P.S. Case No. 23 of 2021 registered for the offence

under Sections 392 of the Indian Penal Code.

Three unknown persons are said to have snatched

the bag and wallet of the informant in which Rs. 91,200/-

and Rs. 16,850/- was kept. It is further alleged that the

miscreants have also snatched his motorcycle and mobile

with sim.

Learned counsel appearing for the petitioner

submits that the petitioner is innocent and has falsely been

implicated in this case merely on the basis of suspicion. He



further submits that one mobile is said to have been recovered from the possession of the petitioner but no T.I.P. has been conducted by the prosecution till date. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. He also submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is rotting in judicial custody since 15.05.2021.

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, above named, petitioner 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 A.C.J.M.-I, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 23 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/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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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