

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39703 of 2022

Arising Out of PS. Case No.-209 Year-2021 Thana- MAHNAR District- Vaishali

Karan Kumar Singh S/o Virju Singh R/o Village - Sahdai Khurd, P.S.- Desari,
District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Advocate
For the State : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-11-2022 At the outset, learned counsel for the petitioner submitted that at page no.4, in paragraph no.12, of the bail petition, period of custody has been wrongly typed as '18.08.2022' instead of '08.08.2021'.

Accordingly, learned counsel for the petitioner is permitted to make necessary correction during the course of the day itself.

Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Mahnar P.S. Case No. 209 of 2021 registered for the offence under Section 392 of the Indian Penal Code.



The accused/petitioner is not named in the F.I.R. and is in custody since 08.08.2021.

The allegation against the petitioner is to commit robbery and while committing so, taken away cash of Rs.3,16,000/- (Rupees Three Lakh Sixteen Thousand), ATM Cards, Aadhar Cards etc., belongs to the informant.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Arvind Kumar, in furtherance of which, nothing incriminating surfaced/recovered to connect this petitioner, *prima facie*, with the present set of occurrence. It is further pointed out that petitioner is involved in three more criminal cases and in most of the cases, his name surfaced on the basis of confessional statement of co-accused, as of the present case. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the F.I.R.

In view of the facts and circumstances, as mentioned



above, as nothing incriminating surfaced/recovered to connect this petitioner, *prima facie*, with the present set of occurrence coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Mahnar P.S. Case No. 209 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned Court, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by



the documents.

(iii) That one of the bailors shall be
the deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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