

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49808 of 2021

Arising Out of PS. Case No.-468 Year-2020 Thana- BARAUNI District- Begusarai

Karan Kumar, Son of Anil Kumar Prasad, Resident of Village- Kancha
Bangraha, Police Station- Vidyapatinagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 08-08-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Shankar Kumar, learned counsel appearing on behalf of the petitioner and learned counsel for the State.

The petitioner seeks regular bail, who is in custody in connection with Barauni (Garhara OP) P.S. Case No. 468 of 2020 registered for the offences punishable under Sections 394, 397 of the Indian Penal Code.

As per the prosecution case, it is alleged that four miscreants armed with weapon entered into the office of the informant and on the point of pistol they looted Rs.4,91,200/- from the cash counter and vault room. They also looted mobile phones and other valuables of the customers.



Learned counsel appearing on behalf of the petitioner submits that the F.I.R. was instituted against unknown persons and during the course of investigation, the petitioner was arrested and his self confession was recorded. It is further submitted that this petitioner was put on TIP, but he has not been identified by the informant. It is next submitted that during the course of investigation, it has come that a Pulsar motorcycle and Rs.17,700/- was recovered from the possession of the petitioner. However, it is submitted that the alleged motorcycle belongs to the petitioner and the recovered currency was not the looted one. It is next submitted that other co-accused persons, namely, Mantu Paswan @ Mantu Kumar @ Santosh, against whom there is identical allegation, has already been granted bail in Cr. Misc. No. 21525 of 2021 vide order dated 26.07.2022. One another co-accused, namely, Ayush Raj has also been granted bail by this Court in Cr. Misc. No.37563 of 2021, vide order dated 20.06.2022. So far this petitioner is concerned, he is in custody since 21.12.2020, though the investigation of the crime is already completed and the charge-sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that ample material has come during the course of investigation, as also certain incriminating



material has been recovered from his possession.

Having regard to the submissions made on behalf of the parties and considering the fact that the petitioner was not identified by the informant during the course of TIP and moreover other co-accused, having identical allegation, have already been granted bail by this Court and the petitioner is in custody since 21.12.2020, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni (Garhara OP) P.S. Case No. 468 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain physically present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be



cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

