

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50995 of 2021

Arising Out of PS. Case No.-234 Year-2021 Thana- PURNEA SADAR District- Purnia

Kanchan Rishi Son of Pakori Rishi @ Pakauri Rishi Resident of Gulabbagh
Imli tola, P.S.- Purnea Sadar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Adv

For the Opposite Party/s : Mr. M.K.Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 10-08-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Purnea Sadar P.S. Case No. 234 of 2021
for the offences punishable under Sections 392 of the
Indian Penal Code.

As per the prosecution case, it is alleged that while
the petitioner was coming on a car after withdrawing Rs. 5
lac, in the meantime three miscreants on motorcycle came
in front of the car and on the point of pistol looted Rs. 5
lac.

Learned counsel for the petitioner submits that



that FIR has been instituted against unknown person. Petitioner was arrested in Purnea Sadar P.S. Case No. 246 of 2021 and on the basis of his confession he has been remanded in this case on 01.06.2021, however, he has not been put on TIP till date. It is further submitted that so far as recovered seized amount of Rs. 1 lac and 55 thousand is concerned, the same is his personal amount kept for trade of grams. There is no other material which suggests the complicity of the petitioner and he is in custody since 01.06.2021.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that petitioner has multiple criminal antecedents and he has been found involved in four other criminal cases.

Having heard the rival contentions of the parties and taking into consideration the fact that other co-accused persons namely, Pappu Singh and Shahnawaj Raj against whom there was specific allegation of recovery of looted amount have already been granted bail by the learned court below itself. Moreover, petitioner is in custody since 01.06.2021 and save and except the confessional statement,



there is no other material. In as much as neither the petitioner nor the looted amount has been put on TIP, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Purnea Sadar P.S.Case No. 234 of 2021 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 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 step for cancelling 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.

(Harish Kumar, J)

N.K/-

U			
---	--	--	--

