

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58780 of 2021

Arising Out of PS. Case No.-25 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

Rohit Kumar @ Bangali Yadav S/o Madhesh Singh Resident of Village-
Garha, P.S.- Udwant Nagar, District- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Advocate.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 11-04-2022 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

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

The present application has been filed on behalf of the
petitioner, above named, for grant of regular bail to the
petitioner who has been made accused and put behind the bar in
connection with Udwant Nagar P. S. Case No. 25 of 2020
registered for the offences punishable under Section 392 of the
Indian Penal Code.

As per the prosecution case, it is alleged that while the
informant was going on his motorcycle, three miscreants on



gunpoint looted his valuables including Rs. 5,000/- cash and two mobile phones and some other valuable documents.

It has been submitted by the learned counsel for the petitioner that the F.I.R. has been instituted against three unknown miscreants, however, as this petitioner was in custody in connection with Ara Town P. S. Case No. 277 of 2020, he was also remanded in the present case. It is further submitted that this petitioner is not named in the F.I.R. and till date he has not been put on T.I.P., apart from the fact that nothing has been recovered from his possession.

On the other hand, learned APP for the State opposes the bail application of this petitioner and draws the attention of this Court towards Paragraph No. 3 of this petition wherein, the petitioner has been found accused in six other cases, in response, learned counsel for the petitioner submits that the petitioner was arrested on 29.06.2020 in Ara Town P. S. Case No. 277 of 2020 and thereafter, he was remanded in all the cases on different dates and the petitioner is on bail in all the cases. It is lastly submitted that the co-accused persons, namely, Arjun Kumar @ Arjun Paswan and Guddu Kumar @ Guddu Yadav have already been granted bail by co-ordinate benches of this Hon'ble Court in Cr. Misc. No. 18512 of 2021 and Cr.



Misc. No. 20543 of 2021 vide orders dated 29.07.2021 and 21.09.2021 respectively.

Having heard the submissions made on behalf of the parties and taking into consideration this fact that the F.I.R. has been instituted against unknown miscreants and the petitioner has been remanded in the present case, apart from the fact that the petitioner has not been put on T.I.P. and no recovery has been made from his possession in as much as the other co-accused have already been granted bail by co-ordinate benches of this Hon'ble Court. Let the petitioner, above named, 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 concerned Court, Bhojpur at Ara in connection with Udwant Nagar P. S. Case No. 25 of 2020, subject to the condition that one of the bailors will be the close relative 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.

(Harish Kumar, J)

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