

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44227 of 2022

Arising Out of PS. Case No.-206 Year-2021 Thana- TRIVENIGANJ District- Supaul

Abhishek Kumar @ Bhavesh Kumar @ Bhavesh @ Abhishe Kumar, S/o
Vijendra Yadav, R/o village- Moura Kaviyahi, Ward No. 12, P.S.- Shankarpur,
District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Triveniganj P.S. Case No. 206 of 2021, registered for the alleged offences under Section 392 of the Indian Penal Code.

As per prosecution case, unknown miscreants robbed the informant of Rs.60,000-65,000/- which the informant had collected on behalf of his employer from different shopkeepers. The name of the petitioner transpired as one of the accused persons during investigation.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case on the basis of



confessional statement of co-accused Bandhan Kumar and Muna Yadav. Nothing incriminating has been recovered from the person/possession of this petitioner. No Test Identification Parade has been conducted for identification. The petitioner is in custody since 16.09.2021. The charge sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender and is accused in a number of cases of similar nature.

Having regard to the facts and circumstances and submissions made here-in-above and considering the period of custody of the petitioner along with submission of charge sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Supaul, in connection with Triveniganj P.S. Case No. 206 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not



already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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