

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54188 of 2021

Arising Out of PS. Case No.-5 Year-2020 Thana- BARAUNI District- Begusarai

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BIGUL KUMAR S/o- PRAMOD YADAV Resident of Village- Nayagaon,
Ward No.03, P.S.- Nayagaon, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy, Adv

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Barauni P.S.Case No.05 of 2020 registered for the offence under Section 392 of the Indian Penal Code.

The prosecution case, in short, is that on 03.01.2020 when the informant was going to his home, in the way he was stopped by three accused persons and on the point of weapon the accused persons robbed his motorcycle, helmet and mobile and flee away from there.

Learned counsel appearing for the petitioner submits



that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. He further submits that the name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Sonu Kumar. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that the police, after investigation, submitted chargesheet against the petitioner. He further submits that till date no T.I. Parade has been done. Petitioner is in custody since 20.01.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries seven more cases other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S.Case No.05 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that 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 cancellation 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.

(Rajesh Kumar Verma, J)

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