

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45291 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

PRINCE KUMAR Son of Santosh Sah Resident of Mohalla - Shivganj, Ward
No.- 29, P.O.- Dehri, P.S.- Dehri (T), District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-11-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Sasaram (M) P.S. Case No. 163 of 2021 registered for the
offences punishable under Sections 394 of the Indian Penal
Code.

As per prosecution case, the miscreants came to the
informant and assaulted and snatched a bag containing Rs.
9,23,000/- and fled away from the place of occurrence.

Learned counsel for the petitioner submits that
petitioner is in custody since 10.05.2022. Petitioner bears
criminal antecedent of three cases. He further submits that



petitioner is not named in FIR. The name of the present petitioner has been surfaced in this case on the confessional statement of co-accused Sunny Kumar and Lal Krishna Gupta. Except the confessional statement of co-accused persons, there is nothing on record to demonstrate the complicity of the present petitioner with alleged occurrence. No incriminating article has been recovered from the possession of the petitioner. Co-accused Danish Khan against whom recovery has been made, has already been granted bail vide Cr. Misc. No. 35675 of 2022 by co-ordinate bench of this court, and the case of present petitioner stands on better footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail by co-ordinate bench of this court, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas in connection with Sasaram (M) P.S. Case No. 163 of 2021,



subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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