

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56581 of 2021**

Arising Out of PS. Case No.-103 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

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Amit Kumar @ Biki Son of Narendra Kumar Gupta Resident of Village -
Gausganj, P.s.- Aranagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Malti Kumari, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 18-05-2022 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 learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Section 395 of the Indian Penal Code.

The case of the prosecution in brief is that 05

unknown miscreants had entered the Bank in question,

whereafter they had, on pistol point, looted cash amount to the

tune of Rs. 2,38,000/-.

Learned counsel for the petitioner submits that the

petitioner has clean antecedents and he has been falsely

implicated in the present case. He further submits that in fact the



petitioner is not named in the F.I.R. and the name of the petitioner has been transpired only on the basis of self confessional statement of the petitioner. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no test identification was conducted by the prosecution. Similarly situated co-accused persons namely Nitish Kumar Singh @ Golu Singh has been granted bail by a Coordinate Bench of this Court vide order dated 03.03.2022 in Cr. Misc. No. 43790 of 2021 and another co-accused namely Aryan Raj @ Rahul Singh has been granted bail by this Court vide order dated 10.03.2022 in Cr. Misc. No. 44873 of 2021. Police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 01.05.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Ara P.S. Case No. 103 of 2021 corresponding to G.R. No. 2244 of 2021, 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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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