

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55913 of 2021

Arising Out of PS. Case No.-207 Year-2020 Thana- SALIMPUR District- Patna

1. NITISH KUMAR Son of Harilal Mahto Resident of Village - Pahsala, P.S.- Naokothi, District - Begusarai.
2. Shiv Kumar Son of Suresh Singh Resident of Village - Pahsala, P.S.- Naokothi, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmod Kumar

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State in virtual court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Salimpur P.S. Case No. 207/ 2020 registered for the offence punishable under Section 395 of the IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel for the petitioners submits that petitioners are not named in the FIR and they have falsely been



implicated in the present case. He further submits that nothing has been recovered from conscious possession of the petitioners. Till today, petitioners have not been put on TIP. Learned counsel further submits that police after investigation submitted charge sheet against the petitioners. Petitioners are in custody since 23.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioners carry one criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri K.P. Arya, learned Judicial Magistrate, 1st Class, Barh in connection with Salimpur P.S. Case No. 207/ 2020, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.



2. If the petitioners tamper with the evidence or the witnesses, 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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