

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56837 of 2021

Arising Out of PS. Case No.-131 Year-2021 Thana- SASARAM MUFFSIL District- Rohtas

SHAMBHOO BIND S/o Late Radhe Bind R/o village- Sabarabad, P.S.-
Chenari, District- Rohtas (Biahr)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Adv

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2022 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 Sasaram Muffasil P.S.Case No.131 of 2021 registered for the offence under Section 395 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was getting his scorpio vehicle repaired, accused persons ten in numbers came armed with country made weapon and danda in their hands and on the point of pistol took the informant and his associates to a nearby field and committed loot from them.



Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He has falsely been implicated in the present case. He further submits that the name of the petitioner has transpired on the basis of the self-confessional statement of the petitioner. He further submits that the petitioner is in custody since 01.06.2021 and till date no T.I. Parade has been conducted by the prosecution. He further submits that two mobiles have been recovered from possession of the petitioner but till date the same has not put on T.I. Parade.

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

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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram Muffasil P.S.Case No.131 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/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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