

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56027 of 2021

Arising Out of PS. Case No.-63 Year-2021 Thana- CHHABILAPUR District- Nalanda

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ADITYA KUMAR @ ROHIT KUMAR S/o SURESH SINGH R/o
VILLAGE-NAIPOKHAR, P.S-RAJGIR, DISTRICT-NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Adv.

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-01-2022 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 through video conferencing.

The petitioner seeks bail in connection with Chhabilapur P.S. Case No. 63 of 2021 registered for the offence under Sections 393/34 of the Indian Penal but vide order dated 09.07.2021, Section 392/34 of the Indian Penal Code have been added by the investigating officer.

The case relates to loot of Rs. 12000/- along with one motorcycle on the point of pistol.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, the petitioner has not been named in the F.I.R. but on the basis of confessional statement of the co-accused, namely, Mithun Kumar @ Aryan, name of this petitioner has surfaced in this case. Neither the petitioner has been put on T.I.P. nor anything incriminating or any looted article, as alleged in the F.I.R., has been recovered from his exclusive possession. The petitioner is rotting in judicial custody since 10.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 A.C.J.M.-V, Nalanda in connection with Chhabilapur P.S. Case No. 63 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 canceled



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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