

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58678 of 2021**

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

CHHOTU BIND Son of Late Upendra Bind Resident of Village- Sabarabad,
P.S.- Chenari, 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.Nityanand

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

2 04-02-2022 Heard learned counsel for the petitioner 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.

Petitioner seeks bail in connection with Sasaram (M)
P.S. Case No. 131/ 2021 registered for the offences punishable
under Section 395 of the IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR. Petitioner has clean
antecedent and has committed no offence and he has falsely
been implicated in the present case. He further submits that



name of the petitioner has been transpired during course of investigation on the basis of confessional statement of co-accused Shambhoo Bind and Manoj Bind @ Banara. He further submits that Rs. 800/- was recovered from possession of the petitioner but no TIP has been conducted by the prosecution. He further submits that co-accused Shambhoo Bind and Manoj Bind @ Banara have been granted bail by this court vide order dated 28.01.2022 passed in Cr. Misc. No. 56837 of 2021 and order dated 28.01.2022 passed in Cr. Misc. No. 56944 of 2021 respectively. Petitioner is in custody since 01.06.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 131/ 2021, subject to 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 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 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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