

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59747 of 2021

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

SUBODH KUMAR Son of Suresh Prasad Resident of Mohalla - Dangi Tola
Near Railway Station Rajgir, P.S.- Rajgir, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Prasad

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-02-2022 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 Chhabilapur
P.S. Case No. 63 of 2021 registered for the offences punishable
under Sections 392/34 of the IPC.

The FIR of the occurrence of loot is against unknown.

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



transpired on the basis of confessional statement of co-accused Mithun Kumar. He further submits that nothing has been recovered from conscious possession of the petitioner rather the stolen article has been recovered from possession of co-accused. He further submits that motorcycle bearing Registration No. BR-33AJ-7051 belongs to the petitioner. He further submits that co-accused Aditya Kumar @ Rohit Kumar has been granted bail by this court vide order dated 27.01.2022 passed in Cr. Misc. No. 56027 of 2021. Till date no TIP has been conducted by the police. Petitioner is in custody since 10.07.2021.

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 Additional Chief Judicial Magistrate-V, Bihar Sharif, Nalanda in connection with Chhabilapur P.S. Case No. 63 of 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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