

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59181 of 2021

Arising Out of PS. Case No.-633 Year-2018 Thana- KOTWALI District- Patna

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BINDU SINGH Son of Late Bharat Singh Resident of Village - Daulatpur,
P.S.- Jehanabad, At Present at - A-238, P.C. Colony, P.S.- Kankarbagh, Distt.-
Patna. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak,Adv

For the Opposite Party/s : Mr.Arun Kumar Pandey,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2022 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 Kotwali P.S.Case No.633 of 2018 registered for the offence under Sections 342,386,506 and 34 of the Indian Penal Code.

In the written report, it is alleged that while the informant had gone to file tender in the office of Patliputra Bhawan Pramandal, on 18.09.2018, one person told him to pay rupees two lac as ransom to Bindu Singh for getting the contract. The informant raised objection then Gautam Kumar @ Gautam along with other accused, as named in the First Information Report, put pistol on the face of the informant and



snatched his golden chain, bracelet etc.

Learned counsel appearing for the petitioner submits that as per FIR petitioner has falsely been implicated in the present case. He further submits that the petitioner is in jail prior to the institution of the present FIR and the name of the petitioner has been used by co-accused, namely, Somu @ Sonu and one Mr.Gautam. He further submits that the police, after investigation, submitted chargesheet against the petitioner on 10.01.2021. He further submits that co-accused, namely, Suraj Kumar Malakar @ Kunal Kumar @ Somu@ Sonu has been granted bail vide order dated 16.07.2021 in Cr. Misc. No.24590 of 2021 and another co-accused, namely, Gautam Kumar @ Gautam has been granted bail vide order dated 23.01.2019 in Cr. Misc. No.2889 of 2019 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 16.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries seven 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 Judicial



Magistrate 1st Class, Patna in connection with Kotwali P.S. Case No.633 of 2018 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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