

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59635 of 2021

Arising Out of PS. Case No.-25 Year-2020 Thana- GHORASAHAN District- East
Champaran

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BITTU KUMAR SINGH Son of Late Rameshwar Singh Resident of Vill -
Harihara, P.S. Shikarganj, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-02-2022 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 through video conferencing.

The petitioner seeks bail in connection with
Ghorasahan P.S. Case No. 25 of 2020 registered for the offence
under Sections 420, 120(B) and 392 of the Indian Penal Code.

The vehicle of the informant is said to have been looted
on the point of gun by the F.I.R. named accused persons.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. The petitioner is not named in the FIR but the name of
the petitioner has transpired in this case merely on the basis of



the confessional statement of co-accused, namely, Abhishek Kumar. He further submits that nothing has been recovered from the possession of the petitioner. He further submits that till date no T.I. Parade has been conducted by the prosecution. He further submits that the police, after investigation, submitted chargesheet against the petitioner. Moreover, co-accused, namely, Ram Vishwash Rai @ Ram Vishwash Yadav has been granted bail vide order dated 13.10.2020 in Cr. Misc. No.25877 of 2020, co-accused, namely, Subodh Kumar has been granted bail vide order dated 01.07.2021 in Cr. Misc. No.13912 of 2021 and co-accused, namely, Sateyendra Ram @ Satyendra Ram has been granted bail vide order dated 10.01.2022 in Cr. Misc. No.53630 of 2021 and also co-accused, Bikram Kumar @ Bikram Sah has been granted bail vide order dated 28.01.2022 passed in Cr. Misc. No.56702 of 2021 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 20.01.2021.

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

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 S.D.J.M., Sikrahna at Dhaka, East Champaran, Motihari in connection with



Ghorasahan P.S. Case No. 25 of 2020 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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