

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62148 of 2021

Arising Out of PS. Case No.-149 Year-2021 Thana- PIRO District- Bhojpur

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Amar Kumar @ Amar Yadav S/O Hira Ratan Yadav R/o village- Nachap,
P.S.- Murar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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 a case registered for the offences punishable under Section 395 of the Indian Penal Code.

According to prosecution case, as per the F.I.R. the informant Umesh Pandey is an agent of Piro Post Office. On 07.05.2021 the informant was going to his village Bachri from Piro and as soon as the informant tried to turn from Bachri, suddenly eight persons riding on four motorcycles, two from each side i.e. Sikarhatta and Piro carrying arms attacked the informant. They opened fire and started beating the informant



and they snatched the motorcycle and mobile phone of the informant.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and he is innocent and has committed no offence and he has falsely been implicated in the present case only on the basis of confessional statement of co-accused namely, Deepak Tiwari @ Tinda. He further submits that nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution. He further submits that after investigation police has submitted the charge sheet against the petitioner. The petitioner is in custody since 17.06.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the ground that petitioner carries four criminal antecedents other than the present one.

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 Court below where the case is pending in connection with Piro P.S. Case No. 149 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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