

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61948 of 2021**

Arising Out of PS. Case No.-896 Year-2020 Thana- MADHEPURA District- Madhepura

Sandeep Kumar @ Pehalwan S/O Upendra Yadav R/O Village-Kabiyahi,  
Ward No.11, P.S-Shankarpur, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

**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 392 of the Indian Penal Code.

According to prosecution case, as per the informant stating therein that on 28.11.2020 he was going to his home from his office RBL Finance at Karpuri Chowk. In that course when he reached near Sahugarh canal, three unknown criminal riding on two motorcycles overtook him and then on gun point they snatched his motorcycle, one mobile phone, one samsung table, bio-metric id card, other documents and Rs.2500/-.



Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. He further submits that the name of the petitioner has been transpired in this case only on the basis of confessional statement recorded in Shankarpur P.S. Case No. 161 of 2021. 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. The petitioner is in custody since 07.06.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail on the ground that petitioner carries six 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 Madhepura P.S. Case No. 896 of 2020, 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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