

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52662 of 2022

Arising Out of PS. Case No.-148 Year-2020 Thana- KASBA District- Purnia

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DILEEP KUMAR @ DILEEP KUMAR SAH @ DILEEP SAMRAT S/o
Jagarnath Sah R/o Basaithi, P.S.- Bousi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-12-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with Kasba

P.S. Case No. 148 of 2020 registered for the offences punishable

under Sections 392, 397 of the Indian Penal Code and Section

27 of Arms Act.

As per prosecution case, three miscreants snatched

the samsung mobile, cash of Rs. 10,000/- from the pocket of

informant and one mobile of his associate. It is further alleged

that all the miscreants fled away with the motorcycle of the

informant.

Learned counsel for the petitioner submits that



petitioner is not named in the FIR. Local police has not any clue of the alleged occurrence so that accused be traced of the said occurrence but due to criminal antecedent of the petitioner the local police arrested the petitioner after 2 years and confession was taken in which petitioner has confessed his guilty. Except self confessional statement of petitioner there is no iota of evidence to connect the petitioner with the alleged occurrence. He further submits that petitioner is in custody since 03.07.2022 and bears criminal antecedent of four cases in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that no TIP has been conducted uptill now.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned C.J.M. Purnea in connection with Kasba P.S. Case No. 148 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

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