

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63192 of 2021

Arising Out of PS. Case No.-130 Year-2021 Thana- JOGBANI District- Araria

Rakesh Kumar Sharma @ Rakesh S/o Dinesh Sharma Resident of Village-
Sattar Kataiya, Ward No. 08, P.S.- Bihra, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-04-2022 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 F.I.R. is that the petitioner himself the informant has lodged this case against two unknown culprits motorbike riders who on the alleged date, time and place of occurrence has looted away cash amount of Rs.1,58,000/- from the Dicky of informant's motorbike and looted cash has been recovered from the rental house of



informant himself.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he is not named in the F.I.R. and he has falsely been implicated in the present case. He further submits that the present case is unique case in which the petitioner himself is informant of the present case. He further submits that during investigation police has recovered the stolen amount and police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 03.07.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

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 Jogbani (Bathnaha) P.S. Case No. 130 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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