

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64431 of 2021

Arising Out of PS. Case No.-107 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

RAM KUBER SHARMA S/O ANANDI SHARMA R/o village-
Mahamodabad, P.S.- Babarganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Industrial Area P.S. Case No. 107 of 2021, for the offence
punishable under Section 395 and 323 of the Indian Penal Code.

The prosecution case, in brief, is that on 07.08.2021 at
7.45 P.M. while the informant along with his other staff were at
his shop, 7-8 miscreants entered into his shop and started
committing Loot. On protest, they assaulted the informant and
his staff. On hulla, nearby people assembled there then accused
persons fled away leaving pistol, a cartridge and two black
coloured bags in which some articles were kept. The miscreants
looted gold-silver ornaments, cash and a mobile phone. The



whole scene of the occurrence was recorded in C.C.T.V camera.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that petitioner is not named in the F.I.R. The F.I.R. is against unknown till date the petitioner has not been put on T.I.P. As per C.C.TV footage no incriminating article has been recovered from the possession of the petitioner. The F.I.R. has been lodged after much delay.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the F.I.R. is against unknown, nothing has come in course of investigation as to whether petitioner was present at the place of occurrence or not, the petitioner has not been put on T.I.P. till date, without going into the merits of the case taking into consideration the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Industrial P.S. Case No. 107 of 2021, subject



to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(6) The petitioner will make his attendance before the concerned Police Station under which his house is located every fortnight till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the



**concerned SHO of the Police Station shall submit his
monthly attendance report to the Superintendent of Police
having jurisdiction.**

(Purnendu Singh, J)

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