

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64780 of 2021

Arising Out of PS. Case No.-122 Year-2017 Thana- JANDAHA District- Vaishali

BIPIN KUMAR @ VIPIN KUMAR Son of Lakhindra Ray Resident of
Village - Lakhanpur Tal, P.s.- Desari, Dist.- Vaishali at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra, Adv.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 392 of the Indian Penal Code.

The informant is said to have been assaulted by the
accused persons and on the point of gun and looted away
one Golden chain, two pieces ring, A.T.M. card, mobile phone
and cash of Rs. 1,00,400/- and swift Desire car.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that the
petitioner has not been named in the F.I.R. but merely on the
basis of confessional statement of the co-accused, Raushan



Kumar, he has been made accused in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. No T.I.P. has been conducted by the prosecution. He further submits that the similarly situated co-accused, Raghubir Ram has been granted bail by a co-ordinate Bench of this Court vide order dated 14.01.2020 passed in Cr. Misc. No. 1662 of 2020. The petitioner is rotting in judicial custody since 23.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Jandaha P.S. Case No. 122 of 2017 with 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/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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.

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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