

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65494 of 2021**

Arising Out of PS. Case No.-347 Year-2021 Thana- JAHANABAD District- Jehanabad

Shankar Prasad Verma S/o Late Ramanand Prasad Verma Resident of Village-
Arya Samaj Near Mallahchak More, P.S.- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shadab Akhter

For the Opposite Party/s : Mr.Amit Kumar Rakesh

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 09-05-2022 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, on 31.05.2021 two female and two male customer came at the house of informant to take their ornaments which was earlier ordered for the purpose of marriage and they sat inside the market. It is further alleged that the informant brought ordered ornaments as well as some ornaments of his shop in white bag and when he was



giving ordered jewellery to customer then two miscreants wearing helmet and mask looted the jewellery on the gun points and also snatched a golden chain from the neck of customer and fled away.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused namely Ravi Kumar. He further submits that all together 8 grams of Gold and two gram melted gold was recovered. He further submits that similarly situated, co-accused, namely, Sachin Kumar @ Laddu and Ravi Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 16.12.2021 passed in Cr. Misc. No. 47879 of 2021 and Cr. Misc. No. 48011 of 2021, another co-accused namely, Ravi Kumar Verma has been granted bail by a co-ordinate Bench of this Court vide order dated 20.01.2022 passed in Cr. Misc. No. 54243 of 2021. The petitioner is in custody since 07.06.2021.

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



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 Jehanabad Town P.S. Case No. 347 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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