

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67369 of 2021**

Arising Out of PS. Case No.-185 Year-2021 Thana- CHANPATIA District- West Champaran

Ramesh Kumar Son of Sri Bagad Mahto Resident of Village- Jaitiya, P.S.-
Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 04-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Chanpatia
P.S. Case No. 185 of 2021 registered for the offence under
Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 29.07.2021.

The allegation against the petitioner is to involve in
robbery, where it is alleged that co-accused persons taken away
Rs.68,340/- in cash from the dicky of motorcycle of the
informant and Rs.71376/- from Raushan Kumar.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner has been implicated in this case



only for the reason that the mobile of the informant recovered from the possession of the petitioner, which in fact, was purchased by the petitioner without knowing the fact that the same is stolen one. It has been submitted that petitioner is a man of clean antecedent and, moreover, chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence. While concluding the argument, it has been submitted that the petitioner has never been put on T.I.P. during the course of investigation.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly conceded that petitioner is not named in the F.I.R.

Considering the facts and circumstances as mentioned above, as neither the stolen mobile nor the petitioner has been put on T.I.P. coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Chanpatia P.S. Case No. 185 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah, subject to the following conditions:



“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(iii) That one of the bailors shall be Bagad Mahto, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

