

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66334 of 2021

Arising Out of PS. Case No.-219 Year-2020 Thana- CHENARI District- Rohtas

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Bittu Kumar @ Shashi Bhushan Kumar Son of Sachchidanand Singh
Resident of Village - Tekari, P.O.- Baraila, P.S.- Chenari, Distt.- Rohtas at
Sasaram, Pin Code- 821111

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 395 of the Indian Penal

Code.

The case relates to loot of house hold articles of the

informant.

Learned counsel for the petitioner submits that the

petitioner is innocent and has been falsely implicated in the

present case. He further submits that the petitioner is not named



in the F.I.R. but merely on the basis of confessional statement of co-accused Ashok Yadav and Lal Babu Chaudhary he has been made accused in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no test identification parade was conducted by the prosecution. Similarly situated co-accused Lal Babu Chaudhary has been granted bail by this Court vide order dated 15.04.2022 in Cr. Misc. No. 65637 of 2021 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 09.03.2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees 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 Chenari P.S. Case No. 219 of 2020, 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 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 witness, 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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