

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67522 of 2021

Arising Out of PS. Case No.-8 Year-2020 Thana- JANDAHA District- Vaishali

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Laxman Kumar Singh @ Laxman Singh Son Of Sri Nand Kishore Singh
Resident Of Village - Rampur Baghel, P.S. Desari, District - Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Prasad Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by the Stamp Reporter

within two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner in the present case is seeking regular bail in

connection with Jandaha P.S. Case No. 08 of 2020 registered for

the offences punishable under Section 392 of the Indian Penal

Code. He is in custody in connection with this case since

06.02.2021 (learned counsel, however, submits that the

petitioner is in custody since 26.01.2020). The petitioner has

nine criminal antecedents.

Learned counsel for the petitioner submits that as per

the prosecution story, on 15.01.2020 at about 05:30 P.M., when

the informant was on his duty at Sri Balaji Fuel Kisan Seva



Kendra, Patrol Pump, Yogi Chowk, Jandaha, three masked miscreants armed with weapons came there on motorcycle and snatched Rs. 3500/- and mobile phone from the informant.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. It is submitted that no incriminating article has been recovered from possession of the petitioner and has not been put on test identification parade.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the FIR is against unknown and the name of the petitioner has been brought in this case on the basis of so-called confessional statement of the petitioner which was recorded by Jandaha police on 26.01.2020 in connection with Jandaha P.S. Case No. 12 of 2020, no incriminating material has been recovered from possession of the petitioner and the petitioner has not been put on test identification parade so there is no identification whereas the petitioner is in custody since 06.02.2021 (learned counsel, however, submits that the petitioner is in custody since 26.01.2020) and investigation against him is complete, this Court directs release of the petitioner above named on bail on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali in connection with Jandaha P.S. Case No. 08 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

And further condition that considering the kind of criminal antecedents of the petitioner, he is directed to mark his attendance in the present case till conclusion of trial, once in every two months before the S.H.O. of Desari Police Station in the District of Vaishali and shall keep on furnishing his complete whereabouts and mobile number to the S.H.O. If he is required to go outside the jurisdiction of the said Police Station in connection with any employment etc. then also he will furnish his address and other information to the S.H.O. Non-compliance with this condition shall be reported by the S.H.O. of Desari



Police Station to the learned court below and steps shall be taken for cancellation of the bail of the petitioner.

The application stands allowed.

Let a copy of this order be sent to the Superintendent of Police, Vaishali for necessary instruction to Desari Police Station.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

