

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.67348 of 2021**

Arising Out of PS. Case No.-109 Year-2020 Thana- KHAIRA District- Jamui

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ROHIT SAW S/O RAJESHWAR SAW @ RAJESH SAW R/o village-  
Singarpur, P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

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

2      26-04-2022                      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 motorcycle of the informant is said to have  
been looted away on the point of gun by the four miscreants.

Learned counsel appearing for the petitioner  
submits that the petitioner, who is of clean antecedent, is  
innocent and has falsely been implicated in this case on the  
basis of suspicion. 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, Manav Singh @  
Nayan Kumar Singh and Surendra Mandal, he has been made



accused in this case. He further submits that, in fact, nothing has been recovered from the conscious possession of the petitioner nor T.I.P. has been conducted as yet by the prosecution. He further submits that the similarly situated co-accused, namely, Sonu Verma, Chhotu Kumar have already been granted bail by co-ordinate Benches of this Court vide order dated 25.10.2021, 15.07.2021 passed in Cr. Misc. No. 18184 of 2021 and Cr. Misc. No. 21954 of 2021, respectively. One another co-accused, namely Surendra Mandal has also been granted bail by this Court vide order dated 03.02.2022. The petitioner is rotting in judicial custody since 01.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Khaira P.S. Case No. 109 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/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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