

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68412 of 2021**

Arising Out of PS. Case No.-232 Year-2021 Thana- KANKARBAG District- Patna

Rishi Kumar @ Rishant Kumar S/o- Sri Ashok Kumar Sinha R/V- Bhut Nath
Road, L.I.G. , Block-9 Sector - 6, P.S. - Agam Kuan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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

3 13-07-2022 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
Kankarbagh P.S. Case No. 232 of 2021 registered for the
offence under Sections 394, 307 and 120(B) of the Indian Penal
Code and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 24.06.2021.

The allegation against the petitioner is to commit
robbery, while committing so, taken away cash Rs. 2000/- of the
informant with further allegation to fire upon son of the
informant, causing fire arms injury.



Learned counsel appearing on behalf of the petitioner submitted that TIP was conducted on 09.06.2022 in pursuance of order of this Court order dated 05.05.2022, where the petitioner was not identified by the informant/injured. It has further been submitted that petitioner is involved in one more criminal case, in which, he is on bail. While concluding the argument, it has been submitted that charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner was not identified during TIP.

Considering the facts and circumstances as mentioned above, as informant/injured has not identified the petitioner during TIP, let the petitioner, above named, is directed to be released on bail in connection with Kankarbagh P.S. Case No. 232 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 Judicial Magistrate 1st Class, Patna, subject to the following conditions:

“(i)That 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 Ruchita Sinha, who is the mother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

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