

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68624 of 2021

Arising Out of PS. Case No.-248 Year-2018 Thana- DAUDNAGAR District- Aurangabad

Rocky Ansari @ Rocky @ Pappu Yadav @ Aman S/o Sakil Ansari R/o
village- Bumair, P.S.- Barachatti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Dhirendra Pratap Singh, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-04-2022 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 Section 392 of the Indian Penal Code.

The F.I.R. of the occurrence of loot is against unknown.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. He further submits that his name has transpired only on the basis of confessional statement of co-accused Sanjay Kumar Sinha. 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 Sanjay Kumar Singh has been granted bail by a Coordinate Bench of this Court vide order dated 24.01.2019 in Cr. Misc. No. 71806 of 2018 and another accused namely Awadhesh Yadav @ Punjabi has been granted bail by a Coordinate Bench of this Court vide order dated 14.03.2019 in Cr. Misc. No. 15037 of 2019. The petitioner is in custody since 17.08.2021.

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 Daudnagar P.S. Case No. 248 of 2018, 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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