

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68554 of 2021

Arising Out of PS. Case No.-280 Year-2020 Thana- SARAIYA District- Muzaffarpur

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Akhilesh Kumar S/o Dindayal Sahni Resident of Village, P.O. Bahilwara
Govind Laxmipur, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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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 is of loot is against

unknown.

Learned counsel for the petitioner submits that the

petitioner is not named in the F.I.R. and his name has transpired

only on the basis of confessional statement of co-accused Pramod

Sahni. 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 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.01.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case 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 Saraiya P.S. Case No. 280 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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