

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.71778 of 2021**

Arising Out of PS. Case No.-40 Year-2021 Thana- BASOPATTI District- Madhubani

Kishan Singh @ Kanhaiya Son of Late Yogendra Singh Resident of Village-  
Narar, Than Tole, P.S.- Kaluahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravindra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

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

2      06-05-2022                      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 in virtual court proceedings.

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. and the name of the petitioner has been transpired only on the basis of confessional statement of co-accused namely Binod Yadav. 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 25.08.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two 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 Basopatti P.S. Case No. 40 of 2021 corresponding to G.R. No. 249 of 2021, 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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