

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71552 of 2021

Arising Out of PS. Case No.-28 Year-2020 Thana- KARTAHA District- Vaishali

ROHIT KUMAR Son of Ramesh Kumar Singh Resident of Ajit Nagar
Chandralay, P.S. - Hajipur Sadar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivanand Singh

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 04-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Kartaha P.S. Case No. 28 of 2020 registered for the offences
punishable under Sections 394, 34, 395, 412 of the Indian Penal
Code.

As per prosecution case, on 18.03.2020 at about
02:50 PM three criminals having pistols entered in the bank and
on the point of pistol looted away a sum of Rs. 8,08,480/- and
other articles. On this information the FIR was lodged against
unknown.

Learned counsel for the petitioner submits that



petitioner is in custody since 25.11.2020 and bears criminal antecedent of three cases in which he is on bail in two cases and one case is of similar nature. Charge sheet has already been submitted in the case and there is no likelihood of tampering the prosecution evidence. He further submits that the petitioner is not named in the F.I.R. and has been made accused on the basis of confessional statement of co-accused Vishal Kumar alias Vishal Kumar Singh who has already been granted bail by order dated 25.08.2021 passed in Cr. Misc. No. 41193 of 2021 by the co-ordinate bench of this court. The petitioner has neither been put on TIP nor any incriminating material has been recovered from the possession of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge-sheet has already been submitted, nothing has been recovered from possession of the petitioner, FIR has been lodged against unknown and also taking into consideration the material available on record, 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 Sub-Judge-



XVI-cum-A.C.J.M.-XV, Vaishali at Hajipur in connection with
Kartaha P.S. Case No. 28 of 2020, subject to following
conditions:-

(i) One of the bailors shall be either father or
mother or sister or brother or wife or the person who has sworn
the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will
remain present on all dates and absence for two consecutive
dates would be a ground for cancellation of bail by the learned
Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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