

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72086 of 2021

Arising Out of PS. Case No.-202 Year-2021 Thana- PIPRA District- Supaul

Raj Kumar @ Roushan @ Kari Son of Birendr Yadav @ Birendra Prasad
Yadav Resident of Village- Chaughara, Ward No.08, P.S. and District- Supaul
... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in a case registered for the
offences punishable under Section 392 of the Indian Penal
Code.

According to prosecution case, on the basis of written
report of the informant the instant case has been registered
against unknown culprits and it is alleged therein that on
17.07.2021 while the informant alongwith his uncle was
returning to their village from Mahe Katiya and reached near the
P.O. the unknown culprits looted his motorcycle, mobile and



cash Rs.1500/- and beaten him and his uncle.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that the investigating officer has not recovered any looted article from the petitioner, rather the investigating officer has forcibly and falsely seized one motorcycle from the house of the petitioner but the motorcycle has been purchased by the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 06.08.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Pipra P.S. Case No. 202 of 2021, subject to 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 witnesses, 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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