

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.706 of 2022

Arising Out of PS. Case No.-795 Year-2020 Thana- SUPAUL District- Supaul

Shravan Kumar Son of Hareram Yadav Resident of Village - Bara, Police
Station and District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-05-2022 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.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 394 and 411 of the Indian
Penal Code.

The case relates to loot of cash and the motorcycle of
the informant on the point of pistol.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. and the name has been
transpired only on the basis of confessional statement of co-
accused Niraj Kumar. He further submits that nothing has been



recovered from the conscious possession of the petitioner rather the recovery has been made from the possession of co-accused Dharmendra Kumar and till date no test identification parade has been conducted by the prosecution. Similarly situated co-accused Dharmendra Kumar and Avinash Kumar @ Vivek have been granted bail by this Court vide order dated 10.03.2022 in Cr. Misc. No. 43662 of 2021 and Cr. Misc. No. 45667 of 2021 and the police after investigation submitted chargesheet and the petitioner is in custody since 09.03.2021.

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 Supaul P.S. Case No. 795 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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