

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4715 of 2023

Arising Out of PS. Case No.-178 Year-2021 Thana- BHORE District- Gopalganj

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Sandip Kumar Singh @ Sandip Kushwaha S/o Ramashish Bhagat R/o
Village- Rampur, P.S.- Bhorey, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
15.11.2021, in connection with Bhorey P.S. Case No. 178 of
2021, F.I.R. dated 23.04.2021 registered for the offences
punishable under Sections 395/397 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 has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
petitioner is not named in the F.I.R. and the name of the
petitioner has been transpired during investigation on the basis
of the disclosure made by co-accused person namely Sibu Singh



@ Taxi Singh. He further submits that nothing incriminating article has been recovered from the conscious possession or the house of the petitioner and till date no test identification parade was conducted by the prosecution and co-accused namely Sibu Singh @ Taxi Singh has been granted bail by a Coordinate Bench of this court vide order dated 15.04.2022 passed in Cr. Misc. No. 65845 of 2021, another co-accused namely Ujjwal Kumar Singh @ Ujjwal Singh has been granted bail by a Coordinate Bench of this Court vide order dated 07.12.2021 passed in Cr. Misc. No. 56189 of 2021 as well as another co-accused person namely Amit Kumar Singh @ Fauji @ Fauzi has been granted bail by a Coordinate Bench of this Court vide order dated 27.09.2022 passed in Cr. Misc. No. 35305 of 2022 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.11.2021.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the period of custody, 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 Chief Judicial Magistrate, Gopalganj in connection with Bhorey P.S. Case No. 178 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 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 antecedents, 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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