

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9776 of 2023

Arising Out of PS. Case No.-50 Year-2019 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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SANTOSH SINGH SON OF SIYA SHARAN SINGH @ SIYARAM SINGH
R/O VILLAGE- ASMA, P.S.- AKBARPUR, DISTRICT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmod Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
10.09.2022 in connection with Sheikhopur P.S. Case
No.50/2019, F.I.R. dated 29.06.2019, for the offence punishable
under Section 392 of the Indian Penal Code.

According to prosecution case, the petitioner along
with co-accused are alleged to have looted the motorcycle of the
informant, which was in the name of the brother of the brother-
in-law of the informant namely, Sidheshwar Paswan and fled
away towards Shekhopur Sarai market.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case. He



further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of self confessional statement of the petitioner and he confessed that he has purchased the motorcycle from Kailu Singh. He further submits that till date, no T.I.P. has been conducted by the prosecution and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 10.09.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three criminal antecedent other than the present one but fairly submits on the basis of para-3 of the bail petition that the petitioner is on bail in all the three cases.

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 C.J.M., Sheikhpura in connection with Shekhopur P.S. Case No.50/2019, 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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