

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13109 of 2023

Arising Out of PS. Case No.-101 Year-2022 Thana- AMBA District- Aurangabad

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Rama Kumar Son of Ram Niwash Singh Resident of Village- Ajaniya, P.S.-
Simra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
13.06.2022 in connection with Amba P.S. Case No. 101 of 2022,
F.I.R. dated 23.05.2022 for the offences punishable under
Section 394 of the Indian Penal Code.

According to prosecution case, three miscreants
stopped the motorcycle of the informant and snatched away the
motorcycle of the informant and also assaulted the informant
with iron rod and thereafter, they fled away.

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. and the name of the petitioner has been transpired on the basis of the looted mobile phone recovered from the possession of the petitioner. He further submits that in fact, the petitioner has purchased the mobile phone in question from the co-accused person, namely, Puran Kumar and the petitioner has no knowledge that whether the said mobile phone was a looted article or not. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 13.06.2022.

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 but fairly submits that the petitioner is on bail in said case.

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 Chief Judicial Magistrate, Aurangabad in connection with Amba P.S. Case No. 101 of 2022, 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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