

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14326 of 2023

Arising Out of PS. Case No.-430 Year-2022 Thana- BIHPUR District- Bhagalpur

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DIPAK KUMAR S/O PANJABI RAVIDAS Resident of Village- Jairampur,
P.S.- Bihpur, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs.Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
08.08.2022 in connection with Bihpur P.S. Case No. 430 of
2022, F.I.R. dated 06.08.2022 registered for the offence
punishable under Section 392 of IPC.

According to prosecution case, three miscreants on
gun point had snatched mobile phone, cash of Rs. 4,000/- and
motorcycle from the informant while he was returning to his
home.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. Petitioner is not named in the FIR. The name of the
petitioner has been transpired during investigation on the basis



of the confessional statement of the co-accused person, namely, Bambam Ravidas. Further submits that one mobile phone was recovered from possession of the petitioner and the same was purchased by the petitioner from the co-accused, namely, Bambam Ravidas through a friend, namely, Karmu. Further submits that co-accused persons, namely, Banty Kumar and Bambam Ravidas have been granted bail by this Court vide orders dated 18.03.2022 passed in Cr. Misc. No.61363 of 2022 and order dated 16.05.2023 passed in Cr. Misc. No.14977 of 2023 respectively and the police, after investigation, has submitted the chargesheet against the petitioner and the petitioner is in custody since 08.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but he fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

Considering the aforesaid facts, 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 learned A.C.J.M.-1st, Naugachiya in connection with Bihpur P.S. Case No. 430 of 2022, 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/her absence on two consecutive dates without sufficient reason, his/her 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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