

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13095 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- SALIMPUR District- Patna

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Dhananjay Kumar @ SUKHU S/O Fakira Singh R/v- Manjhauli, P.S.-
Salimpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, 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
APP for the State.

Petitioner seeks bail, who is in custody since
01.11.2022, in connection with Salimpur P.S. Case No. 148 of
2022, F.I.R. dated 28.07.2022 registered for the offences
punishable under Section 392 of the Indian Penal Code.

Allegation against the petitioner is that he along with
other co-accused persons snatched the money and articles of the
informant on the point of pistol.

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 only on the basis of confessional



statement of co-accused person namely Pankaj Kumar and self confessional statement of the petitioner. 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 was conducted by the prosecution and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 01.11.2022.

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, 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 Judicial Magistrate 1st Class, Barh, Patna in connection with Salimpur P.S. Case No. 148 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



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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