

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15673 of 2023

Arising Out of PS. Case No.-397 Year-2022 Thana- JAMUI District- Jamui

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GUDDU KUMAR @ GUDDU RAWAT S/O VIJAY RAWAT R/v- Agahara,
P.S. and District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar, Adv.

For the Opposite Party/s : Mr.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Sessions Trial No. 693 of 2023 arising out of Jamui P.S. Case No. 397 of 2022 dated 05.08.2022 registered for the offence under Sections 392 of the Indian Penal Code.

The case relates to commission of loot on the petrol pump of the informant. Certain electronic items such as mobile, laptops including cash of Rs. 50000/- have been looted away.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the



petitioner has not been named in the F.I.R. but when the petitioner was apprehended in connection with Jamui P.S. Case No. 401 of 2022, he has confessed his guilt before the police with respect to commission of offence in the present case. He further submits that one mobile is said to have been recovered from the possession of the petitioner but the prosecution has conducted the T.I.P. till date. He further submits that the confession before the police has no evidentiary value. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 12.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Additional Sessions Judge-IV, Jamui in connection with Sessions Trial No. 693 of 2022 arising out of Jamui P.S. Case No. 397 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 canceled 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.

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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