

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14799 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- PIRO District- Bhojpur

Ajay Kumar @ Tiger Son of Kamlesh Pasi R/V- Tendua, P.S- Sanjhauli Dist-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Arvind Kumar Pandey(App84)

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 29-05-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Piro P.
S. Case No. 175 of 2022, registered for the offences
punishable under Section 392 of the Indian Penal Code.
Later on, converted into Section 395 of the Indian Penal
Code.

The prosecution case as emerges from the FIR is
that on 01.04.2022, when the information along with his
assistant Anish Srivastava were returning to Piro after
collecting the amount of Rs. 1,98,090/- and as soon as they
reached near Bachari over-bridge, three persons on a black



motor-cycle overtook them and two persons pulled out pistol from their waist and looted the bag containing Rs. 1,20,000/- from Anish Srivastava along with his mobile and one person came and assaulted the informant and looted rest amount Rs. 78,090/- from him along with his mobile.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the F.I.R. because the F.I.R. is lodged against unknown. He further submits that nothing has been recovered from the conscious possession of the petitioner. He also submits that no Test Identification Parade has yet been conducted.

He further submits that the petitioner has been languishing in jail since 12.07.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in nine other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.



However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M. VIII, Bhojpur at Ara, in connection with Piro P. S. Case No. 175 of 2022 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.



(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

skm/-

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