

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17566 of 2023**

Arising Out of PS. Case No.-502 Year-2021 Thana- SIWAN CITY District- Siwan

Govind Kumar @ Govind Kumar Ram Son Of Nagendra Ram Village-
Daraila, P.S-Guthani, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P,

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 17-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
21.09.2021 in connection with Siwan Town P.S. Case No. 502
of 2021 (ST No. 407/2022), F.I.R. dated 20.09.2021 for the
offences punishable under Sections 395, 397 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegation against the petitioner is to commit dacoity
along with other co-accused persons and while committing so
taken away golden jewellery from the shop of the informant,
having total value of Rs.4,00,00,000/- (Rupees Four Crore).

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he 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 during investigation on the basis of confessional statement of co-accused Manish Kumar. He further submits that nothing has been recovered from the conscious possession or the house of the petitioner and till date no TIP has been conducted by the prosecution. He further submits that similarly situated, co-accused persons, namely, Ranjan Kumar, Praveen Kumar @ Deepu, Geyanendra Pratap Singh @ Ankit Singh, Raju Rai, Sri Bhagwan yadav @ Bhagwan Yadav, Manish Kumar Yadav @ Manish Kumar, Kundan Kumar @ Ravi, Sonu Kumar and Sandeep Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 24.08.2022 passed in Cr. Misc. No. 16655 of 2022, Cr. Misc. No. 5223 of 2022, Cr. Misc. No. 7055 of 2022, Cr. Misc. No. 7892 of 2022, Cr. Misc. No. 15557 of 2022, Cr. Misc. No. 16586 of 2022, Cr. Misc. No. 18697 of 2022 and Cr. Misc. No. 21565 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 21.09.2021.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances and



period of custody, 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, Siwan in connection with Siwan Town P.S. Case No. 502 of 2021 (S.T. No. 407/2022), 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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