

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16633 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- MADHEPUR District- Madhubani

Purushottam Kamat, Gender-Male, aged about 29 years, Son of Kapildev Kamat Resident of Village- Bhith Bhagwanpur, P.S.- Madhepur, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party : Ms. Gulnar Begum, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Madhepur P.S. Case No. 07 of 2022 dated 11.01.2022, arising out of G.R. No. 58 of 2022 instituted for the offence punishable under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that on 10.01.2022, when the informant was returning to his home after completing his work, four miscreants were chasing and stopped the informant. Thereafter, they assaulted the informant and snatched his bag, mobile and purse. Thereafter, the informant lodged F.I.R. against four unknown persons.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. Nothing has been recovered from the conscious possession of the petitioner. Till date, no *Test Identification Parade (T.I.P)* has been conducted. It is also submitted that the petitioner was remanded in the present case when he was arrested in connection with P.S. Case No. 42 of 2019. Lastly, it has been submitted that the petitioner is in custody since 03.06.2022, charge-sheet has been submitted in the case and he has antecedents of six cases.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-1st Class, Jhanjharpur, Madhubani in Madhepur P.S. Case No. 07 of 2022 arising out of G.R. No. 58 of 2022, subject to the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(iii) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(iv) 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.

(Khatim Reza, J)

Gaurav Kumar/-

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