

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16458 of 2023**

Arising Out of PS. Case No.-121 Year-2020 Thana- JANDAHA District- Vaishali

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KARTIK KUMAR Son of Shankar Sah R/o Neerpur P.S- Muffasil Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jagdhar Prasad, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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

2 11-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
05.11.2022 in connection with Jandaha P.S. Case No. 121 of
2020, F.I.R. dated 03.08.2020 registered for the offence
punishable under Section 392 of IPC.

The FIR of the occurrence of loot is against
unknown.

Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. Further submits
that the petitioner is not named in the FIR. The name of the
petitioner has been transpired during investigation on the



basis of the confessional statement of co-accused, namely, Brajesh Kumar. Further submits that nothing has been recovered from conscious possession or the house of the petitioner and till date no TIP has been conducted by the prosecution and the police, after investigation, submitted chargesheet against the petitioner on 22.12.2022 under Sections 395 and 412 of IPC and the petitioner is in custody since 05.11.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, 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 learned J.M. 1st Class, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 121 of 2020, 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 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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