

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23298 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- SHAHKUND District- Bhagalpur

1. LOVELY SHARMA Son of Binod Sharma @ Binod Mistri Resident of Village - Tilakpur, P.S.- Sultanganj, Distt.- Bhagalpur.
2. Pintu Mandal Son of Hirdai Mandal Resident of Village - Akbarnagar Pani Tanki, P.S.- Akbarnagar, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Sahkund P.S. Case No. 189 of 2022 dated 08.07.2022 registered for the offence under Sections 392 of the Indian Penal Code.

The informant is alleged to have been assaulted by the unknown persons and snatched away his motorcycle and mobile.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the



petitioners have not been named in the F.I.R., however, their names transpired in this case on the basis of confessional statement of the co-accused, Rishi Raj. He further submits that the nothing has been recovered from the possession of the petitioner nor T.I.P. has been conducted by the prosecution till date. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioners. The petitioners are rotting in judicial custody since 24.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners and submits that both the petitioners carry three 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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Bhagalpur in connection with Sahkund P.S. Case No. 189 of 2022 with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without



sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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