

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21368 of 2023

Arising Out of PS. Case No.-295 Year-2022 Thana- BIDUPUR District- Vaishali

Abhishek Kumar Son Of Late Nagendra Singh R/O Village- Khilwat, P.S.-
Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner seeks bail in connection with Bidupur
P.S. Case No. 295 of 2022 dated 08.06.2022 registered for the
offence punishable under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant is
working as delivery boy in Instacart Services Pvt. Ltd.,
Hathsarganj, Hajipur and on 08.06.2022 at about 1:40 P.M., he
delivered some article to a lady. After delivering, three unknown
miscreants came and on the point of pistol, looted Rs 5610/- and
his own cash Rs 600/- and other documents and sack of parcel
in which 21 parcels was left for delivery worth Rs 25,470/- and
fled away.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner has not been named in the F.I.R.. It is next submitted that nothing has been recovered from the conscious possession of the petitioner and no T.I.P. has been conducted till now. Only on the basis of suspicion the petitioner has been made accused in this case. Lastly, it has been submitted that the petitioner is in custody since 24.08.2022, having five criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes 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 A.C.J.M., Hajipur, Vaishali in connection with Bidupur P.S. Case No. 295 of 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 on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

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

3. 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.

4. 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)

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