

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21994 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- BABUBARHI District- Madhubani

Bhaskar Singh, Gender-Male, Aged about 21 years, S/o Ramanand Singh,
Resident of Village- Bataunha, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Murari Narain Chaudhary, Advocate
	:	Mr. Deepak Kumar, Advocate
For the Opposite Party	:	Mr. Md. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Babubarhi P.S. Case No. 148 of 2022 / G.R. No. 1135 of 2022 dated 13.07.2022, instituted for the offence punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, on 11.07.2022 at about 08:15 pm, two to three miscreants intercepted the informant and snatched the key of the motorcycle, one lakh rupees, mobile phone and other important articles from the possession of the informant and fled away.

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 was arrested in another case in Babubarhi P.S. Case No. 156 of 2022 on 24.07.2022 and later on, he was remanded in this case on 29.08.2022 only on the basis of confessional statement of co-accused, namely, Md. Rabul. Nothing has been recovered from the conscious possession of the petitioner and till date, no ***Test Identification Parade*** has been made. Lastly, it has been submitted that the petitioner is in custody since 29.08.2022, charge-sheet has been submitted in the case and he has three criminal cases against him.

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 C.J.M., Madhubani / Incharge Successor Court in Babubarhi P.S. Case No. 148 of 2022 / G.R. No. 1135 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)

Gaurav Kumar/-

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