

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22345 of 2023

Arising Out of PS. Case No.-179 Year-2022 Thana- PIRPAINTI District- Bhagalpur

Binod Murmur @ Binod Murmu son Sidhu Murmur, resident of Village
Neemgachhi, P.S. Mirzachauki, District Sahebganj, (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

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

Petitioner seeks bail, who is in custody since
17.10.2022, in connection with Pirpainti P.S. Case No. 179 of
2022, F.I.R. dated 12.06.2022 registered for the offences
punishable under Sections 392, 411 of the Indian Penal Code but
the police after investigation submitted chargesheet against the
petitioner under Sections 395 and 412 of the Indian Penal Code.

Allegedly, on the point of pistol, accused persons
snatched the money from the truck driver.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. and the name of the petitioner has been transpired
during investigation on the basis of confessional statement of co-



accused persons namely Prakash Sharma and the self confessional statement of the petitioner. He further submits that nothing incriminating article has been recovered from the conscious possession of the petitioner and till date no test identification parade was conducted by the prosecution and co-accused person namely Prakash Sharma @ Pardesi Tanti @ Pradeshi Tanti has been granted bail by a Coordinate Bench of this Court vide order dated 03.05.2023 passed in Cr. Misc. No. 65604 of 2022, another co-accused person namely Jitendra Upadhyay @ Jailor has been granted bail by a Coordinate Bench of this Court vide order dated 24.02.2023 passed in Cr. Misc. No. 67427 of 2022, another co-accused persons namely Subodh Kumar Mandal @ Subodh Mandal and Jayram Mishra @ Jayram Kumar Mishra have been granted bail by a Coordinate Bench of this court vide order dated 01.05.2023 passed in Cr. Misc. No. 15123 of 2023 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 17.10.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one in which he is on bail in both the cases.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing



bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Bhagalpur in connection with Pirpanti P.S. Case No. 179 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 shall remain physically present as directed 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) If the petitioner tampers with the evidence or the witness, 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 antecedents, 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)

Ibrar//-

U		T	
---	--	---	--

