

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24440 of 2023

Arising Out of PS. Case No.-523 Year-2022 Thana- BARUN District- Aurangabad

SHYAM LAL KUMAR @ SHYAM LAL KUMAR RAM @ SHYAM LAL
RAM Son of Late Awdhesh Ram R/o village - Gangahar, P.S.- Nokha, District
- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Barun
P.S. Case No. 523 of 2022 registered for the offence under
Sections 395 of the Indian Penal Code.

Four to five persons are alleged to have assaulted
the informant and the cleaner of the truck and also snatched
Rs. 6000/- on the point of weapon.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that the
allegation, as alleged in the F.I.R., is false and fabricated and
the petitioner has not committed any offence. He further



submits that in fact the petitioner happens to be driver of the Brezza car in question. He further submits that he was not involved in the present occurrence and nothing has been recovered from the house or conscious possession of the petitioner. He further submits that the prosecution has not conducted the T.I.P. till date. He further submits that one Alok Kumar happens to be the owner of the car in question. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 06.12.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one, however, he is on bail in that case.

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) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Barun P.S. Case No. 523 of 2022 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 canceled 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.

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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