

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23519 of 2023

Arising Out of PS. Case No.-371 Year-2022 Thana- ATHMALGOLA District- Patna

SURAJ KUMAR Son of Bipin Mahto @ Bipin Singh Resident of village-
Thamba, Police Station-Bakhtiyarpur, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Babu Singh, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

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

The petitioner seeks bail in connection with
Athmalgola P.S. Case No. 371 of 2022 dated 23.12.2022
registered for the offence under Sections 392 and 414 (later
on added) of the Indian Penal Code.

Some unknown persons are alleged to have
assaulted the informant and subjected to commission of loot.

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
petitioner has not been named in the F.I.R., however, his
name transpired in this case on the basis of confessional



statement of the co-accused, Akshay Kumar leading to recovery of the looted tempo from the possession of the petitioner. 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 31.12.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Barh, Patna in connection with Athmalgola P.S. Case No. 371 of 2022 (G.R. No. 2609 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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