

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24470 of 2023

Arising Out of PS. Case No.-394 Year-2021 Thana- TAJPUR District- Samastipur

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ABHAY KUMAR SINGH @ RAJA SON OF LATE RANJEET KUMAR
SINGH @ CHUNCHUN SINGH Resident of village - Mahisour, P.S. -
Jandaha, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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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 Tajpur P.S.
Case No. 394 of 2021 registered for the offence under Sections
392 of the Indian Penal Code.

The petitioner along with others are alleged to have
committed loot from the informant and taken away his
motorcycle and cash of Rs.6000/- on the point of gun.

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. but merely on the basis of statement of the
petitioner recorded in connection with Tajpur P.S. Case No. 411 of
2021. Save and except the confessional statement of the co-



accused and self statement of the petitioner in another case, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. He further submits that, in fact, neither anything incriminating has been recovered from the conscious possession of the petitioner nor the petitioner has been put on T.I.P. by the prosecution as yet. He further submits that the co-accused, Rahul Singh @ Rahul Kumar Singh and Mukul Jha have already been granted bail by learned court below. 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 30.01.2023.

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 Additional Chief Judicial Magistrate-I, Samstipur in connection with Tajpur P.S. Case No. 394 of 2021 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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