

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27519 of 2023

Arising Out of PS. Case No.-387 Year-2018 Thana- KHAIRA District- Jamui

SATYAM KUMAR Son of Vivek Singh @ Viveka Singh Resident of Village
- Bhajour, P.S.- Jamui, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
28.09.2022, in connection with Khaira P.S. Case No. 387 of 2018,
F.I.R. dated 03.10.2018 registered for the offences punishable
under Sections 395 and 412 of the Indian Penal Code.

The F.I.R. of the occurrence of loot is against
unknown.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent 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 person and it has come



during investigation in paragraph 63 of the case diary that the mobile phone of the petitioner was active at the place of occurrence and nothing has been recovered from the conscious possession of the petitioner rather the same has been recovered from other co-accused. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 28.09.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

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 Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 387 of 2018, 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)

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