

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30027 of 2023

Arising Out of PS. Case No.-209 Year-2021 Thana- MAHNAR District- Vaishali

DEEPAK KUMAR SINGH @ SONU SINGH SON OF GIRIJESH SINGH
@ BRAJESH SINGH RESIDENT OF VILLAGE- KUREM, PS- RASRA,
DISTT- BALLIYA, STATE - UP AT PRESENT R/O VILLAGE RASALPUR,
PS- PATORI , DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Mahnar P.S. Case No. 209 of 2021 registered for the offence
punishable under Section 392 of the Indian Penal Code.

As per prosecution case, unknown miscreants
entered into R.B.L. Finserv Limited, Mahnar Branch and took
away cash of Rs. 3,16,000/-. It is further alleged that miscreants
also took away ATM Card, Driving License, Aadhar Card etc.
from the informant. Hence, FIR has been registered against four
unknown miscreants.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and his name has been



surfaced upon the confessional statement of co-accused Arvind Kumar @ Naga. Petitioner is in custody since 02.06.2022 and bears criminal antecedent of twelve cases out of which he is on bail in eleven cases. He further submits that no TIP was conducted as yet. No incriminating article has been recovered from the conscious possession of the petitioner. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Moreover, co-accused Karan Kumar Singh on similar allegation has already been granted bail vide Cr. Misc. No. 39703 of 2022 by the co-ordinate Bench of this court

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner keeping in view criminal antecedent of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, co-accused on similar allegation has already been granted bail by the co-ordinate Bench of this court, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** 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, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 209 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case.

(Alok Kumar Pandey, J)

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