

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32276 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- ALOULI District- Khagaria

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DABLU KUMAR S/O DEV NARAYAN YADAV R/O Village- Bageba, P.S-
Salkhua, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

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

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Alauli
P.S. Case No. 194 of 2022 registered for the offences punishable
under Sections 392 of the Indian Penal Code later on added
Section 414 of IPC.

As per prosecution case, informant's motorcycle
was snatched by three unknown miscreants. It is further alleged
that they abused the informant and threatened to kill him.

Learned counsel for the petitioner submits that
petitioner is not named in FIR and his name has been transpired
in this case upon the confessional statement of co-accused
Ravish Kumar. Except confessional statement, there is nothing
on record to demonstrate the complicity of the present petitioner



with the alleged occurrence. He further submits that co-accused Ravish Kumar upon whose confessional statement the name of the present petitioner has been transpired in this case, has already been granted bail by the co-ordinate bench of this Court vide Cr. Misc. No. 66707 of 2022 and the case of present petitioner stands on similar footing. He further submits that petitioner is innocent and has committed no offence as alleged against him in F.I.R. and he has falsely been implicated in the present case. Petitioner has been remanded in this case on 20.12.2022 and since then he is in custody and he bears two criminal antecedents in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail by the co-ordinate Bench of this Court, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, 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 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Alauli P.S. Case No. 194 of 2022, 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.

(Alok Kumar Pandey, J)

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