

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31760 of 2023

Arising Out of PS. Case No.-247 Year-2021 Thana- SIDHWALIYA District- Gopalganj

Rohit Ram, Male, aged about 25 years, Son of Rajesh Ram, Resident of
Village- Phulgani, P.S.- Thawe, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Sidhwalia
P.S. Case No. 247 of 2021 dated 24.07.2021 registered for the
offence punishable under Section 392 of the Indian Penal Code.

As per the prosecution case, four miscreants got the
tank of their vehicle full and also snatched Rs. 23,133/- from
the persons manning on a petrol pump. Later on, the name of the
petitioner transpired as one of the accused persons.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR and nothing incriminating
article has been recovered from his possession. There is no
material to show the involvement of the petitioner in the alleged
occurrence. The petitioner was not put on Test Identification



Parade after his arrest and he is in custody since 18.09.2021. Except for the criminal antecedent of the petitioner, there is nothing against this petitioner on the record and charge-sheet has already been submitted in this case.

Learned counsel for the petitioner further submits that similarly situated co-accused Pintu Pandey @ Pintu Kumar Pandey has been granted bail by a Co-ordinate Bench of this Court vide order dated 23.08.2022 in Cr. Misc. No. 26259 of 2022.

Learned APP appearing for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case and submission of learned counsel for the parties, let the petitioner above named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st, Class, Gopalganj in connection with Sidhwalia P.S. Case No. 247 of 2021, subject to the following conditions:-

(i) 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.

(ii) In case of absence on two consecutive dates



without sufficient reason or if the petitioner misuse the liberty or violate any of the conditions imposed upon him his bail bond will be liable to be cancelled by the Court concerned.

(iii) 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.

(Sunil Dutta Mishra, J)

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