

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32139 of 2023**

Arising Out of PS. Case No.-732 Year-2022 Thana- RUNISAIDPUR District- Sitamarhi

Gaurav Singh @ Gaurav Kumar Singh S/O Lakshmi Singh @ Lakshmi
Nandan Singh R/O Village- Athri, P.S- Runnisaidpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 28-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Runnisaidpur P.S. Case No. 732 of 2022 registered for the
offence under Section 386 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.01.2023.

The allegation against the petitioner is to snatch cash
of Rs. 3,21,000/- from the informant while he was on way to his
house after withdrawing the same from the Bank of Baroda.

Learned counsel appearing on behalf of the petitioner
submitted that the informant prior to this case, also lodged a



case against this petitioner which has been registered as Runnisaidpur P.S. Case No. 455 of 2016 and out of said previous enmities, the present false implication was raised. It is also submitted that no incriminating material recovered from the possession of this petitioner as to connect him with present occurrence. While concluding the argument, it is submitted that petitioner found involved in six more criminal cases, where he is on bail and, moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, duly assisted by learned counsel Mr. Shankar Kumar appearing on behalf of the informant, while opposing the prayer of bail submitted that the petitioner involved in six more criminal cases of similar nature and he is habitual offender.

Considering the facts and circumstances as mentioned above and by taking note of the fact as petitioner appears in inimical terms with informant, where no incriminating material appears to made from petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 27.01.2023 accordingly, petitioner above named, is directed to be released on bail in connection with



Runnisaipur P.S. Case No. 732 of 2022 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, Sitamarhi/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. with further condition:-

(i) That the petitioner shall not involve in similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the learned Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That petitioner shall not interact with informant during the trial in any manner or to influence any witness, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(iii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and



exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iv) That one of the bailors shall be deponent of the present bail petition.

(Chandra Shekhar Jha, J)

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