

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32913 of 2023

Arising Out of PS. Case No.-326 Year-2022 Thana- TEGHRHA District- Begusarai

PRASHANT KUMAR Son of Sanjeet Roy @ Ranjeet Singh @ Ranjeet Roy
Resident of village-Daniyalpur, Pokharpar, Ward No.-5, P.S.-Teghra, District-
Begusarai, Bihar-851133

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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 Teghra
P.S. Case No. 326 of 2022 registered for the offences
punishable under Section 394 of the Indian Penal Code.

As per prosecution case, four unknown miscreants
looted the informant's mobile, threw the informant's bag and
also searched the pocket of the informant in which Rs. 150-200
was kept. It is further alleged that miscreants also assaulted
informant and fled away.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR. His name has been surfaced
in the present case only on the basis of spy as mentioned in para



20 of the case diary which is quite evident from the impugned order itself. He further submits that looted mobile was recovered from the pocket of the petitioner at the time of arrest which is also evident from the impugned order itself. He further submits that petitioner is in custody since 28.11.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that there is no compliance of Section 100 of Cr.P.C. He further submits that petitioner is quite innocent and has falsely been implicated in the case.

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

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, 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 Chief Judicial



Magistrate, Begusarai in connection with Teghra P.S. Case No. 326 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)

vashudha/-

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