

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39366 of 2023

Arising Out of PS. Case No.-84 Year-2022 Thana- JANDAHA District- Vaishali

JITENDRA PODDAR @ JITTU Son of Late Mahesh Poddar Resident of
Village- Kharjamma, PS- Mahnar, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Adv.

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 2 01-08-2023 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. Defects as pointed out by the Stamp Reporter is ignored.
3. Petitioner seeks bail, who is in custody since 28.05.2022 in connection with Jandaha P.S. Case No.84/2022, dated 22.03.2022, for the offences punishable under Sections 392 of the IPC.
4. According to prosecution case, four unknown persons riding on motorcycle snatched purse, mobile and a bag containing Rs.1700-1800/- and weighing machine, from the informant and fled away.
5. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He



further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused namely Rohit kumar. He further submits that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from other co-accused persons and except the confessional statement of the co-accused no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 28.05.2022.

6. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried ten criminal antecedent other than the present one but fairly submits that the name of the petitioner has been transpired during investigation on the basis of confessional statement of the co-accused.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned C.J.M.,
Vaishali at Hajipur in connection with Jandaha P.S. Case
No.84/2022, subject to the following conditions:-

1. 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 and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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