

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39195 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- BACHHWARA District- Begusarai

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ASHUTOSH KUMAR S/O RANJEET ROY R/O Vill. Narepur Dharmpur,
PS. Bachhwara, Dist. Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar

For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Bachhwara P.S. Case No. 44 of 2023 registered for the offences
punishable under Sections 392/414, 412 of I.P.C.

As per prosecution case, petitioner and others
snatched the mobile and A.T.M. of informant. When the
informant with the help of villagers enquired with them, they
returned the mobile and A.T.M. of the informant.

Learned counsel for the petitioner submits that
petitioner is in custody since 14.02.2023. Petitioner bears no
criminal antecedent. Charge sheet has already been submitted in
the case and there is no likelihood of tampering with the
prosecution evidence. Learned counsel further submits that the



petitioner is innocent and has committed no offence as alleged in the F.I.R. No looted article has been recovered from the possession of the petitioner. Looted article has been recovered from co-accused Ravindra Sahani. Learned counsel further submits that petitioner's own mobile has been recovered from his possession. Petitioner has no concern with from the seized article and co-accused Ravindra Sahani.

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 as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the parties 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., Begusarai in connection with Bachhwara P.S. Case No. 44 of 2023, 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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