

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40586 of 2023

Arising Out of PS. Case No.-286 Year-2021 Thana- SISWAN District- Siwan

RAJAN SINGH @ CHINESE Son of Birendra Singh Resident of Village-
Sarhara, P.S.-Siswan, District-Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

- 2 19-07-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner seeks bail in connection with Siswan P.S. Case No. 286 of 2021 registered for the offences punishable under Section 392 of I.P.C.
3. As per prosecution case, four unknown miscreants came and on the point of pistol looted the Gold ornament worth Rs. 1,35,000/- and silver ornament worth Rs. 80,000/- and fled away.
4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. Upon the confessional statement of co-accused Deepak Kumar Yadav name of present petitioner has been transpired in this case. Except confessional statement of co-accused, nothing is on record to demonstrate the



complicity of the present petitioner with the alleged occurrence. Petitioner is remanded from Raghunathpur P.S. Case No. 26 of 2022 on 17.12.2022 since then he is in custody. Petitioner bears criminal antecedent of five cases out of which in three cases the petitioner is not named in the F.I.R. Nothing has been recovered from conscious possession of the petitioner. No T.I.P. has been conducted uptill now. Petitioner is innocent and has committed no offence as alleged in the F.I.R.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner keeping in view criminal antecedent of the petitioner.

6. 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, 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 Judicial Magistrate - 1st Class, Siwan in connection with Siswan P.S. Case No. 286 of 2021, 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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