

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45988 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- PANCHRUKHI District- Siwan

ROHIT KUMAR Son of Harendra Yadav Resident of village - Tarwara Road,
Mahpur, P.S. - Pachrukhi, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-10-2023 Heard Mr.Bijay Prakash Singh, learned counsel for
the petitioner and Mr.Kanhaiya Kishor, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Pachrukhi (Sarai O.P.) P.S. Case No.21 of 2023,
Complaint dated 25.01.2023 registered for the offences
punishable under Section 392 of IPC.

3. The FIR of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent. He has falsely been implicated
in the present case. Petitioner is not named in the FIR. The
name of the petitioner has been transpired during investigation
on the basis of the confessional statement of co-accused person,



namely, Anurag Kumar @ Antu and nothing has been recovered from possession of the petitioner and except the suspicion and confessional statement of co-accused person, namely, Anurag Kumar, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned Judicial Magistrate, 1st Class, Siwan in connection with Pachrukhi (Sarai O.P.) P.S. Case No.21 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bonds shall be cancelled by the Court below.

(II) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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/her criminal antecedents, 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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