

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47554 of 2023

Arising Out of PS. Case No.-214 Year-2023 Thana- BARH District- Patna

Navin Kumar Son Of Chandradeep Thakur @ Chandradip Thakur R/O
Village- Hasanpur Naya Pethiya, P.S.- Mahnar, District- Vaishali At Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar, Advocate
For the Opposite Party/s : Mrs.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
19.04.2023 in connection with Barh P.S. Case No. 214 of
2023, F.I.R. dated 11.04.2023 registered for the offence
punishable under Section 392 of the Indian Penal Code.

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

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and 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 the co-accused persons, namely, Amit Kumar and Chandan Kumar. In fact the petitioner has purchased the Tempo in question from co-accused, namely, Amit Kumar and the petitioner has no knowledge whether the Tempo in question was theft article or not. Further submits that it has come during investigation that co-accused, namely, Amit Kumar and Navin Kumar confessed their guilt and they have stated that they have sold the Tempo in question to the petitioner and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 19.04.2023.

5. Learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, 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 learned A.C.J.M.-1st, Barh, Patna in connection with Barh P.S. Case No. 214 of 2023, with the 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 bond shall be cancelled by the Court below.

(II) 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.

(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 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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