

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49456 of 2023**

Arising Out of PS. Case No.-66 Year-2023 Thana- CHANAN District- Lakhisarai

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LALU KUMAR SON OF SHUKHDEV MAHTO @ SHUKDEV MAHTO
R/O-ITAUN, P.S.-CHANAN, DISTT.-LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 08-08-2023 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 20.05.2023 in connection with Chanan P.S. Case No. 66 of 2023, F.I.R. dated 19.05.2023 registered for the offence punishable under Section 392 of IPC.

3. Co-accused Nitish Kumar alongwith three unknown persons are alleged to have snatched the mobile, cash of Rs.25,000/- and also his motorcycle from the son of the informant.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case on the basis of the confessional statement of the co-accused person, namely, Aman



Kumar. Further submits that from bare perusal of the FIR it appears that there is specific allegation against co-accused, namely, Nitish Kumar and nothing has been recovered from conscious possession or the house of the petitioner and till date no TIP has been conducted by the prosecution and except the confessional statement of the co-accused person, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the petitioner is in custody since 20.05.2023.

5. Learned A.P.P. for the State, on the other hand, has 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 C.J.M., Lakhisarai in connection with Chanan P.S. Case No. 66 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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