

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51109 of 2023

Arising Out of PS. Case No.-440 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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PAPPU KUMAR @ RANDHIR KUMAR @ PAPPU CHAUDHARY @
PAPPU SAHANI SON OF LATE SAKAL CHAUDHARY @ SAKAL
SAHANI RESIDENT OF VILLAGE- HATHIYAH, PS- PIPRAKOTHI,
DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raki Alam, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 2 11-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. Petitioner, who is in custody since 08.06.2023 seeks
bail, in connection with Muffasil P.S. Case No.440/2019 dated
16.09.2019, for the offences punishable under Sections 392 of
the Indian Penal Code.
3. According to prosecution case, four unknown
persons riding on two motorcycles after intercepted the
informant, snatched his bag containing Rs. 4,50,000/- on the
point of gun and fled away.
4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He



further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of confessional statement of the co-accused, namely, Chanesh Kumar and except the confessional statement of the co-accused, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that nothing has been recovered from conscious possession or the house of the petitioner and till date no T.I.P. has been conducted by the prosecution. He further submits that the petitionere has been remanded in this case from Piprakothi P.S. Case No. 213/2022 on 08.06.2023. He further submits that the petitioner is in custody since 08.06.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried six criminal antecedent other than the present one but fairly submits on the basis of para-3 of the bail petition that out of six cases, the petitioner is on bail in five cases.

6. Considering the aforesaid facts and circumstances, 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 the learned C.J.M.,
East Champaran at Motihari in connection with Muffasil P.S.
Case No.440/2019, subject to the following conditions:-

1. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. 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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