

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51339 of 2023

Arising Out of PS. Case No.-74 Year-2019 Thana- PAROO District- Muzaffarpur

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Gangam Singh @ Gumgum Sinmgh @ Raushan Kumar Son Of Late
Ravindra Pd. Singh @ Late Ravindra Kumar Singh Resident Of Village-
Phulad @ Phularh, Ps- Paroo, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
08.05.2023 in connection with Paroo P.S. Case No. 74 of 2019,
F.I.R. dated 26.02.2019 for the offences punishable under
Sections 395 of the Indian Penal Code.

3. According to prosecution case, the informant was
on his way at Jaffarpur, Majhauilya Railway Gumti on his
motor-cycle. He was coming from Bandham Bank after
encashment of Rs. 2 lakh against the cheque. Suddenly two
motor-cycle riding by three persons, came and dashed in his
motor-cycle. He fell down and one person pointed a pistol on
him and threatened, the other accused persons snatched his bag



in which 2 lakh money was kept, and fled away.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and his name is transpired on the basis of confessional statement recorded in Paroo P.S. Case No. 150 of 2019. Thereafter, the petitioner is remanded in the present case on 08.05.2023. He further submits that nothing has been recovered from the conscious possession or from the house of the petitioner and till date no T.I.P has been conducted by the prosecution. The petitioner is in custody since 08.05.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries five criminal antecedents other than the present one but fairly submits on the basis of paragraph -3 of the bail petition that he is on bail in all the 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 Court No. 2 of J.M. - 1st Class, West, Muzaffarpur, in connection with



Paroo P.S. Case No. 74 of 2019, subject to 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 absence on two consecutive dates without sufficient reason, his 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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