

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54823 of 2023**

Arising Out of PS. Case No.-193 Year-2023 Thana- RIGA District- Sitamarhi

Mintu Kumar @ Bantha Son Of Budhai Mahto @ Nand Kishor Mahto  
Village- Anhari Ps- Riga Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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

2      04-09-2023      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
07.06.2023 in connection with Riga P.S. Case No. 193 of 2023,  
F.I.R. dated 14.05.2023 for the offences punishable under  
Section 392 of the Indian Penal Code.

3. According to prosecution case, loot of a mobile  
phone and a motorcycle has been made by three unknown  
persons.

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  
only on the basis of confessional statement of co-accused



person, namely, Anand Mohan. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date, no T.I.P. has been conducted against the petitioner. He further submits that except the confessional statement of the co-accused person, no other material has come during the investigation to suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 07.06.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 Chief Judicial Magistrate, Sitamarhi, in connection with Riga P.S. Case No. 193 of 2023, 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)**

Aditi

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