

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54551 of 2022

Arising Out of PS. Case No.-101 Year-2021 Thana- MURLIGANJ District- Madhepura

LALTU KUMAR Son of Subodh Yadav Resident of Village - Rahua, Ward
No.- 06, P.S.- Sour Bazar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-03-2023 Learned counsel for the petitioner is permitted to
remove the defects, as pointed out by the office, if any, within a
period of four weeks from today.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Section 392 of the Indian Penal
Code.

As per the prosecution case, four miscreants riding on
two motor cycles, on the point of pistol, snatched, motor cycle,
mobile and Rs. 1500/- from the informant and fled away.

Learned counsel appearing 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



FIR. Name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Manish Kumar. Further submits that 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 several co-accused persons, namely, Ramratan Singh @ Ram Singh, Navneet Kumar and Babul Kumar have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 03.03.2022, 11.04.2022 and 29.07.2022 passed in Cr. Misc. Nos. 67925 of 2021, 8351 of 2022 and 23688 of 2022 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 14.07.2021.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries five more cases other than the present one.

Considering the aforesaid facts and several co-accused persons have been granted bail, 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 court below where the case is



pending in connection with Murliganj P.S. Case No. 101 of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her 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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