

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56265 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- DIGHWARA District- Saran

Vasu @ Madhukant Kumar Son of Rajendra Singh Resident of Village-
Rampur Malechhiya Tola, P.S.-Madhaura(Gaura O.P.), District-
Saran(Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 379, 420, 406 of the Indian
Penal Code.

The informant is said to be carrying on the business of
Videography Service. The services were booked by a co-accused
person Rohit and when they were going to discharge professional
obligation, on the way, they have been looted of their belongings
including Rs. 6,000/- case by co-accused Rohit, one unknown
person who boarded the vehicle on the way and two other
persons who were on Apache motorcycle.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the



present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of self confessional statement of the petitioner. He further submits that nothing has been recovered from the possession of the petitioner or the house of the petitioner and except the self confessional statement of the petitioner, no other cogent material has come during investigation against the petitioner. He further submits that similarly situated co-accused person namely Saurabh Kumar @ Saurabh Singh has been granted bail by a Coordinate Bench of this Court vide order dated 24.01.2023 passed in Cr. Misc. No. 60306 of 2022 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 06.03.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees 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 Dighwara P.S. Case No. 33 of 2022, 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 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 witness, 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 antecedents, 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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