

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57155 of 2022

Arising Out of PS. Case No.-321 Year-2019 Thana- KHAGARIA District- Khagaria

Balram Singh @ Babalu @ Ballu @ Bikash Kumar Son of Late Kare Singh
@ Lalan Ray R/V- Narayanpipar, P.S.- Chhaurahi, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 392 of the Indian Penal Code
and later on Section 412 of the Indian Penal Code added.

According to prosecution case, three miscreants took
the vehicle of Chandan Kumar Yadav whose driver is the
informant and they also assaulted the informant and took away
Rs. 10,000/- from him.

Learned counsel for the petitioner submits that
petitioner has falsely been 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 the confessional statement of the co-accused person, namely, Pravin Kumar. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that till date no T.I.P. had been conducted by the prosecution. He further submits that the petitioner is remanded in the present case from Khodawandpur P.S. Case No. 119 of 2020 on 27.05.2022. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Manish Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 02.12.2019 passed in Cr. Misc. No. 55065 of 2019.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries six criminal antecedents other than the present one but fairly submits that he is on bail in all the cases.

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



below where the case is pending in connection with Khagaria
P.S. Case No. 321 of 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)

Vanisha/-

U		T	
---	--	---	--

