

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61877 of 2023

Arising Out of PS. Case No.-55 Year-2019 Thana- KURSAILA District- Katihar

PARVESH SINGH@PRAVESH KUMAR@PRAVESH SINGH S/O SHIV
NANDAN SINGH R/O VILLAGE- BASGARHA, PS. KORHA, DISTT.
KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since 20.04.2023 in connection with Kursela P.S. Case No. 55 of 2019, F.I.R. dated 03.04.2019 for the offences punishable under Sections 356 and 379 of the Indian Penal Code.

3. According to prosecution case, on 03.04.2019 the informant Gopal Kumar was returning Kursela branch after collection of Rs. 70000/- in his path two miscreants intercepted him and snatched away the aforesaid cash amount from his possession and fled away.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the FIR and the name of the petitioner has been transpired



during the investigation on the basis of the confessional statement of the co-accused person namely Sanoj Kumar Mandal and nothing has been recovered from the conscious possession of the petitioner and except the confessional statement of the co-accused person, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the petitioner has been remanded in the present case from Tikapatti P.S. Case No. 32 of 2019 on 20.04.2023.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries eight more criminal antecedents other than the present one but fairly submits on the basis of Para 3 of the petition that out of eight cases, petitioner is on bail in seven 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 Chief Judicial Magistrate, Katihar, in connection with Kursela P.S. Case No. 55 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)

Adnan/-

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