

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60675 of 2022

Arising Out of PS. Case No.-86 Year-2021 Thana- KORANSARAI District- Buxar

VINOD KUMAR Son of Hirdaya Yadav @ Hirdaya Nand Yadav Resident of
Village- Manpa, P.S.- Murar, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 392 of the Indian Penal
Code.

According to prosecution case, while the informant was
returning from Virpur and Mashariya village on his motorcycle,
he was overtaken by three unknown miscreants riding on
motorcycle. Thereafter, accused persons snatched the key of the
motorcycle and Rs.60,972/- which was kept in his bag.
Thereafter the accused persons fled away.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. He further submits that the petitioner is not named



in the F.I.R. His name has been transpired on the basis of confessional statement of co-accused namely, Ranjay Singh @ Budha Singh. He further submits that nothing incriminating has been recovered from conscious possession of the petitioner and till date no T.I.P. has been conducted. Except the confessional statement of co-accused, no cogent material has come during investigation against the petitioner. It is further submitted that police after investigation, submitted charge sheet against the petitioner. The petitioner is in custody since 30.06.2022.

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

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 Koransarai P.S. Case No. 86/2021, 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)

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