

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61048 of 2022

Arising Out of PS. Case No.-516 Year-2022 Thana- SASARAM NAGAR District- Rohtas

KRISHNA KUMAR S/o Raj Kumar Singh Resident of village- Chakanhawa,
P.S.- Dehri (Indrapuri), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pronoti 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
offence punishable under Sections 392 of the Indian Penal
Code.

According to prosecution case, when the informant
was returning by his truck after unloading the sand at Varanasi,
two persons stopped his vehicle and forcibly entered into his
truck and on the point of gun, took out Rs. 5000/- from his
pocket and another persons took out Rs. 47000/-. Thereafter
they fled away.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



petitioner is named in the F.I.R. but no incriminating article has been recovered from the possession of the petitioner. He further submits that similarly situated, co-accused, namely, Sonu Sharma has been granted bail by this Court vide order dated 10.02.2022 passed in Cr. Misc. No. 58473 of 2022. The police after investigation, submitted the charge sheet against the petitioner. The petitioner is in custody since 25.06.2022.

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

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 Sasaram (Town) P.S. Case No. 516/2022, 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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