

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61236 of 2023**

Arising Out of PS. Case No.-130 Year-2020 Thana- DAWATH District- Rohtas

Jai Prakash Singh Son Of Late Bindeshwar Singh Resident Of Village- Semri
Colony, Maliyabag, Ps- Dawath, Distt- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 20-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 17.06.2023 in connection with Dawath P.S. Case No. 130 of 2020, F.I.R. dated 08.09.2020 for the offences punishable under Sections 399, 402 and 414 of the Indian Penal Code.

3. According to prosecution case, two persons were apprehended from the house of this petitioner who disclosed that they were making plan of committing lootpat and also committed several occurrence of robbery. It is further alleged the one mobile phone was recovered from the possession of his petitioner.

4. 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 not named in the F.I.R. He further submits that the petitioner is the seizure list witness and he is also the charge sheet witness in the present case and during the course of investigation, the name of the petitioner has been implicated on the basis of the confessional statement of the co-accused, namely, Bansi Kumar and Jitendra Kumar. He further submits that nothing has been recovered from the conscious possession of the house of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.06.2023.

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

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 Additional Chief Judicial Magistrate, Bikramganj (Rohtas) in connection with Dawath P.S. Case No. 130 of 2020, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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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