

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59548 of 2022

Arising Out of PS. Case No.-349 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Nand Kishor Kumar @ Nand Kishor Yadav @ Natraz Son Of Karanti Yadav
@ Kanti Yadav R/O Village- Jurabganj, P.S.- Kodha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anup Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

The F.I.R. of the occurrence of loot of chain is against
unknown persons.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that in fact the petitioner is not
named in the F.I.R. and the name of the petitioner has been
transpired during investigation only on the basis of suspicion and
except suspicion, no other cogent material has come during
investigation against the petitioner. He further submits that
nothing has been recovered from the possession of the petitioner



and no test identification was conducted by the prosecution and the petitioner was remanded in this case from navgachia P.S. Case No. 264 of 2021 on 29.11.2021 and since then he is in jail custody.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries ten more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kotwali (Barari) P.S. Case No. 349 of 2021, with 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 witness, 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 antecedents, 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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