

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61744 of 2022

Arising Out of PS. Case No.-406 Year-2021 Thana- KHAIRA District- Jamui

DIWAKAR KUMAR Son of Nand Kishore Tanti R/O Village- Patauna, P.S-
Malaypur, District- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Section 392 of IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. He further submits that the petitioner is not named in the
FIR. The name of the petitioner has been transpired on the basis
of the self-confessional statement of the petitioner and nothing
has been recovered from conscious possession of the petitioner
and till date no TIP has been conducted by the prosecution and
except self-confessional statement of the petitioner, no other
cogent material has come during investigation against the



petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 06.02.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the aforesaid facts, 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 learned court below where the case is pending in connection with Khaira P.S.Case No. 406 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/her absence on two consecutive dates without sufficient reason, his/her 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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