

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62417 of 2022

Arising Out of PS. Case No.-167 Year-2022 Thana- PANCHRUKHI District- Siwan

ROHIT KUMAR S/o Rama Shankar Sah R/o Village- Chajwa Balia, P.S.-
Andar Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam
For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-02-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Pachrukhi P.S. Case No. 167 of 2022, registered for the
offences punishable under Sections 392 and 411 of I.P.C.

The prosecution case as emerges from the FIR is
that on 22.07.2022 at 06:15 A.M. when the informant was
going to *Senuwar* along with his son and daughter on a
motorcycle to see the bride and when she reached at the
Hardiya Mod Cement Godown, a motorcycle came and
stopped her motorcycle and snatched a gold chain from her
neck.



Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there was a collusion between motorcycles of the petitioner and informant which caused altercation between them and a false case has been filed against the petitioner. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been languishing in jail since 23.07.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in two other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-



named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate-6th , Siwan in connection with Pachrukhi P.S. Case No. 167 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds



of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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