

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63319 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- TARAIIYA District- Saran

=====

Rohit Kumar @ Rohit Kumar Prasad S/O Brij Kishore Prasad Resident Of
Village- Maricha, P.S.- Sahajitpur, District- Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

In the present case, the petitioner seeks bail in connection with Taraiya P.S. Case No. 05 of 2022 registered for the alleged offences under Section 392 of the Indian Penal Code.

As per prosecution case, the informant was going by his pick-up vehicle which was loaded with iron sheets when he was overtaken by four miscreants in a car and they abducted the informant and took away his pick-up vehicle along with its contents and mobile phone. The name of the petitioner transpired during investigation as one of the accused persons.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case as nothing material has come up against the petitioner during entire investigation. No Test Identification Parade has been conducted in this case and charge sheet has been submitted without any Test Identification Parade. Nothing incriminating has been recovered from the conscious possession of the petitioner. Other similarly situated co-accused persons have been granted bail by a Coordinate Bench of this Court vide order dated 09.11.2022 passed in Cr. Misc. Nos. 31368 of 2022 and 35602 of 2022. The name of the petitioner sprang up on the basis of his own confessional statement in another case and he in custody since 03.03.2022 in the present case.

Learned A.P.P. for the State opposes the prayer for bail submitting that petitioner is having criminal antecedent and is accused in four cases of similar nature.

Perused the records.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery of looted articles has been shown from the petitioner and also considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like



amount each to the satisfaction of learned Additional Sessions Judge-Vth, Saran at Chapra in connection with Sessions Trial No. 434 of 2022, arising out of Taraiya P.S. Case No. 05 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

DKS/-

U		T	
---	--	---	--

