

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66165 of 2022

Arising Out of PS. Case No.-96 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

SATYADEO BIND @ PRABHAKAR KUMAR @ PRABHAKAR S/O
Hiralal Bind Resident of Village- Bari Majhgai, P.S.- Gangta, District-
Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with S.T. No.
539 of 2022 arising out Jagdishpur P.S. Case No. 96 of 2022
registered for the offence under Sections 394 of the Indian Penal
Code.

The allegation against the petitioner is to commit
robbery along with other co-accused persons. It is alleged that
Rs.7.25 lakh of the informant has been snatched by the petitioner
and his associates on the point of gun.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the petitioner has not been
named in the F.I.R., however, his name transpired in this case



during course of investigation on the basis of his confession before the police. He further submits that nothing incriminating or looted article has been recovered from the conscious possession of the petitioner rather the looted money has been recovered from the possession of the co-accused Ashish @ Ashish Bind @ Roushan Bind @ Ramband Bind @ Ashish Kumar. Save and except the self confessional statement of the petitioner, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. Moreover, the similarly situated co-accused, Ashish @ Ashish Bind @ Roushan Bind @ Ramband Bind @ Ashish Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 20.03.2023 passed in Cr. Misc. No. 71857 of 2022. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 18.03.2022.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 17th Additional



Sessions Judge, Bhagalpur in connection with S.T. No. 539 of 2022 arising out of Jagdishpur P.S. Case No. 96 of 2022 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 canceled 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.

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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