

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68633 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- SARMERA District- Nalanda

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KRANTI KUMAR S/O LATE RAJO MAHTO Resident of Village- Bhadaur,
P.S.- Bhadaur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

According to prosecution case, while the informant
was going to Barbigha from Gopalpur by his Pulser motorcycle,
two people requested him to drop them ahead and they sat on
his motorcycle but as soon as the informant went a little further,
they pointed out pistol and snatched his motorcycle and fled
away. It is also alleged that co- accused took the informant in
the nearby field on the point of pistol, where third boy came and
took out Rs. 25,000/-, key of the shop and mobile phone.

Learned counsel for the petitioner submits that the



petitioner is innocent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of self confessional statement of the petitioner. He further submits that except the self confessional statement of the petitioner no other cogent material has come during investigation against the petitioner. He further submits that nothing has been recovered from the conscious possession of the petitioner or the house of the petitioner and till date no T.I.P. has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 01.05.2022.

The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Sarmera



P.S. Case No.98/2022, subject to 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 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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