

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71381 of 2022**

Arising Out of PS. Case No.-362 Year-2022 Thana- PATRAKARNAGAR District- Patna

DIPAK KUMAR @ DEEPAK KUMAR S/O Shiv Bind R/O Rajendra Nagar
Sabji Mandi (Below Over Bridge), P.S- Patrakarnagar , District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Kumar Pathak,Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 05-04-2023 Heard learned counsel appearing for the petitioner and
the learned A.P.P. for the State.

The petitioner seeks bail in connection with Patrakarnagar P.S. Case No. 362 of 2022, registered for the offence under Sections 356 and 379 of the Indian Penal Code.

The mobile phone of the informant is said to have been snatched by unknown person.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the petitioner is not named in the FIR and he was not arrested at the spot and the name of the petitioner has been transpired during investigation and nothing has been recovered from conscious possession of the petitioner and till date no TIP has been



conducted by the prosecution and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 26.06.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, 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 Additional Chief Judicial Magistrate, Patna in connection with Patrakarnagar P.S. Case No. 362 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 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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