

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69405 of 2022

Arising Out of PS. Case No.-178 Year-2022 Thana- ALAMNAGAR District- Madhepura

1. DILKHUSH KUMAR S/o Kailash Mahto R/v- Bihariganj ward no 5, P.S.- Bihariganj, District- Madhepura
2. AKHILESH KUMAR S/o Kishore Paswan R/v- Bihariganj ward no 5, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 392/412 of the Indian Penal Code.

According to prosecution case, the informant lodged a written complaint to the S.H.O, Alamnagar, that some unknown criminals have stopped him and snatched his motorcycle, mobile phone and Rs. 77,715/- cash and upon patrolling the police nabbed two persons who are the petitioners in the present case.

Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that except the motorcycle no looted mobile phone, cash, firearms etc. has been recovered from the possession of petitioners as alleged in the F.I.R. He further submits that in fact nothing has recovered from the possession of the petitioners rather the police have planted the same and shown the recovery of motorcycle from the possession of the petitioners. He further submits that the police after investigation submitted the charge sheet against the petitioners and the petitioners are in custody since 04.07.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each, with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Alamnagar P.S. Case No. 178 of 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)

Alok Verma/
aditya-

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

