

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2543 of 2023**

Arising Out of PS. Case No.-376 Year-2020 Thana- BARH District- Patna

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Ashok Singh S/o Emo Singh R/v- Gora Bari, P.S.- Kodha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      27-04-2023                      Heard Mr. Chhote Lal Mishra, learned counsel  
  
appearing on behalf of the petitioner and Mr. Ram Sumiran Rai,  
  
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail, who is in custody  
in connection with Barh P.S. Case No. 376 of 2020 registered  
for the offences punishable under Sections 356 and 379 of the  
Indian Penal Code.

It is alleged that while the informant was coming  
from the Bank after withdrawing Rs. 1,30,000/-, in the  
meantime, two persons arrived there on a motorcycle and  
snatched his bag, containing the cash amount and fled away.

Learned counsel for the petitioner submits that the  
FIR has been instituted against unknown persons, however,  
during the course of investigation, the name of the petitioner has



surfaced on the confessional statement of co-accused Sujit Gowala. He further submits that the petitioner has neither been put on T.I. parade nor any incriminating material has been recovered from his possession. Only because of the previous criminal antecedents of the petitioner, he has been implicated in the present case, moreover the petitioner is in custody since 27.05.2022.

On the other hand, learned counsel for the State while opposing the bail application submitted that the petitioner is facing four other criminal cases as is evident from the impugned order. However, it is stated in para-3 of the bail application that the petitioner has only two criminal antecedent.

Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner has come on the confessional statement of co-accused and there is no recovery from his person or possession, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Barh in connection with Barh P.S. Case No. 376 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner with further



conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

**(Harish Kumar, J)**

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