

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1095 of 2023

Arising Out of PS. Case No.-267 Year-2015 Thana- KATORIYA District- Banka

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LALTU PUJHAR Son of Bhuvneshwar Pujhar Resident of Village - Tilaiya,
P.S.- Rikhiya, District - Deoghar (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

8 24-04-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
22.01.2022 in connection with Katoria P.S. Case No. 267 of
2015, F.I.R. dated 09.11.2015 registered for the offence
punishable under Section 392 of IPC.

The prosecution case, in short, is that on
08.11.2015, the informant alongwith one Kutubuddin Ansari,
was going home from Deoghar on motorcycle. It is further
alleged that when the informant reached Kudwavaran forest,
four miscreants obstructed the informant and looted cash of
Rs. 43,000/- 170 Riyal (Saudi Arab currency), a Nokiya
phone and the said motorcycle from possession of the



informant on gun point. It is further claimed by the informant that one Mumtaz Ansari, Sagir Ansari and two unknown were involved in the alleged commission of loot.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the supervision report of the S.D.P.O. Learned counsel for the petitioner further submits that nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and except the supervision report of the S.D.P.O., no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present case and co-accused, namely, Sagir Ansari has been granted bail vide order dated 03.02.2016 passed in Cr. Misc. No. 3254 of 2016 and another co-accused, namely, Mumtaz Ansari has also been granted bail vide order dated 01.09.2016 passed in Cr. Misc. No. 27140 of 2016 by a Coordinate Bench of this Hon'ble Court and the petitioner is in custody since 22.01.2022.

Learned APP 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 as mentioned in the supplementary affidavit.

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 C.J.M., Banka in connection with Katoria P.S. Case No. 267 of 2015, 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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