

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76360 of 2023

Arising Out of PS. Case No.-295 Year-2022 Thana- BIDUPUR District- Vaishali

SHASHI BHUSHAN SINGH @SHASHI BHUSHAN KUMAR SINGH S/O
GANI NATH SINGH R/O VILLAGE- DAUD NAGAR, P.S- BIDUPUR,
DISTT.- VAISHALI.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Singh

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Bidupur
P.S. Case No. 295 of 2022 registered for the offences punishable
under Section 392 of the IPC.

3. As per prosecution case, informant after handing
over the delivery items to a lady, proceeded a short distance and
three miscreants came on one motorcycle wearing masks on their
face and it is alleged that one miscreant, wearing helmet, on the point
of pistol, snatched cash delivery money of Rs. 5616 alongwith his
personal cash of Rs. 600, Aadhar card lamination copy, passbook as
well as sack containing 21 parcels valued at Rs. 25470 and fled away.

4. Learned counsel submits that petitioner is not named
in the FIR and his name has been transpired in the present case upon



the confessional statement of co-accused Sunny Kumar. Except confessional statement of co-accused Sunny Kumar, there is nothing on record to demonstrate the complicity of petitioner with the alleged occurrence. Learned counsel for the petitioner further submits that petitioner has been made accused in Industrial Area P.S. Case. No. 50 of 2022 and from there he has been remanded in the present case and since then he is in custody i.e. 18.04.2022. Petitioner bears criminal antecedent of two cases in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that no TIP has been conducted uptill now. No incriminating article has been recovered from the conscious possession of the petitioner. He further submits that co-accused Abhishek Kumar and Ravindra Kumar have already been granted bail vide Cr. Misc. No. 21368 of 2023 and Cr. Misc. No. 69246 of 2022 respectively by co-ordinate Benches of this Court and the case of present petitioner stands on similar footing.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, co-accused have already been granted bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on



bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 295 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

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

