

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.185 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- TARAIYA District- Saran

SALMAN KHAN SON OF MUSTKIM ANSARI R/O VILL.- NOKHA
BAZAR, P.S.- BASANTPUR, DISTT.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 04.08.2022 in connection with Taraiya Town P.S. Case No. 265 of 2022, F.I.R. dated 26.07.2022 registered for the offence punishable under Section 392 of IPC but the police, after investigation, submitted chargeheet under Sections 395,397,412,401 and 120B of IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he 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 confessional statement of co-



accused persons, namely, Vinit Kumar and Sahil Kumar Gupta. 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 the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.08.2022.

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-I, Saran (Chapra) in connection with Taraiya Town P.S. Case No. 265 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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