

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1841 of 2023

Arising Out of PS. Case No.-5 Year-2020 Thana- SAKSOHRA District- Patna

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Suraj Kumar, S/O Ashok Yadav Resident of village- Dumariya, P.S.- Barh,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avinash, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-04-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), if any, as pointed out by the office, within

a period of four weeks from today.

Heard Mr. Avinash, learned counsel for the petitioner
and Ms. Rita Verma, learned Additional Public Prosecutor for
the State.

The petitioner seeks bail, who is in custody, in
connection with Saksohra P.S. Case No. 5 of 2020, registered
for the offences punishable under Section 392 of the Indian
Penal Code and Section.

It is alleged that the informant being the driver of a
Truck was going to his destination and in the meantime some
unknown miscreants surrounded him and on the point of pistol



looted cash of Rs. 15,000/- and other valuables including mobile.

Learned counsel appearing on behalf of the petitioner submits that the FIR has been instituted against unknown persons, however, during the course of investigation, the name of the petitioner transpired on the confessional statement of one Pappu Kumar, who has already been allowed bail by the court below itself, copy of which has been brought on record by way of Annexure-2. He further submits that save and except the confessional statement, no incriminating material has been recovered from the person or possession of the petitioner showing his involvement and, moreover, till date the petitioner has not been put on Test Identification Parade, though he is in custody since 17.09.2021.

On the other hand, learned APP for the State opposed the bail application and submits that the name of the petitioner has transpired on the confessional statement of co-accused, apart from the fact that the petitioner is named in two other criminal cases.

Regard being had to the submissions made on behalf of the parties and considering the materials against the petitioner, coupled with the period of custody and the fact that



the investigation of the crime is complete, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned J.M. 1st Class, Barh, Patna in connection with Saksohara P.S. Case No. 5 of 2020, subject to the condition that one of the bailors will be the close relative 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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