

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75358 of 2022

Arising Out of PS. Case No.-232 Year-2022 Thana- GORAUL District- Vaishali

SANJEEV KUMAR Son of Ram Sharan Singh R/V- Chhatwara Rehwan ,
P.S- Mahua, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
05.07.2022 in connection with Goraul (Kathara O.P.) P.S. Case
No. 232 of 2022, F.I.R. dated 02.06.2022 for the offences
punishable under Sections 392 and 412 of the Indian Penal
Code.

According to prosecution case, in brief, is that on the
basis of fardbeyan of one Vicky Kumar alleging therein that on
01.06.2022 in night He further submits that had went to
attained marriage ceremony of Rahul Kumar in village
Kharpatti Chhatwara in the jurisdiction of Mahua police station
with his uncle blue coloured Apache motorcycle and when He
further submits that was returning after attained the marriage



three miscreants have looted on the point of pistol, his motorcycle and Redmi Note-9 pro Max mobile in which SIM of mobile No. 8825324762 was inserted and Aadhar Card and miscreants fled away towards Sumerganj.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of statement recorded in Goaul P.S. Case No. 245/2022. He further submits that nothing has been recovered from the conscious possession of the petitioner rather the so called looted mobile has been recovered from the house of the petitioner. He further submits that till date no TIP has been conducted by the prosecution and the police after investigation submitted the charge sheet against the petitioner and the petitioner was remanded in the present case on 05.07.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one and during pendency the petitioner is on bail in Goraul P.S. Case No. 245 of 2022.



Considering the aforesaid facts and circumstances, 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 the learned Additional Chief Judicial Magistrate-I, Vaishali at Hajipur in connection with Goraul (Kathara O.P.) P.S. Case No. 232 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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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