

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7177 of 2023**

Arising Out of PS. Case No.-270 Year-2021 Thana- ARWAL District- Jehanabad

SANNI KUMAR @ RAJU Son of Sanjay Singh Resident of Kharauna, P.S.-  
Bhagwanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raj Shekhar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      24-06-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since  
26.03.2022 in connection with G.R. No. 584 of 2021, arising out  
of Arwal P.S. Case No. 270 of 2021, F.I.R. dated 02.09.2021 for  
the offences punishable under Sections 461, 379, 511, 427 of the  
Indian Penal Code.

According to prosecution case, the informant is  
Branch Manager of Punjab National Bank, Arwal who has  
alleged that on 02.09.2021 at about 12:15 in night, some  
unknown miscreants have attempted to commit loot of ATM and  
they also damaged the glass of CCTV of the ATM. The cash  
amount at about Rs.7,18,000/- is available in the said ATM but  
the said cash was found safe.



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 on the basis of his past criminal antecedents. He further submits that nothing has been recovered from the conscious possession or the house of the petitioner and till date no TIP has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 26.03.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries five criminal antecedents other than the present one.

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 Sub-Divisional Judicial Magistrate, Arwal in connection with G.R. No. 584 of 2021, arising out of Arwal P.S. Case No. 270 of 2021, 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)**

mdrashid/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

