

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1231 of 2023

Arising Out of PS. Case No.-68 Year-2022 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Prince Kumar S/O Dev Nandan Singh @ Devendra Singh R/V- Manjhaul,
Nityanand Chowk, Ward No 12, P.S.- Cheriya Bariyarpur, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate
For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
06.09.2022 in connection with Nowkothi P.S. Case No. 68 of
2022, F.I.R. dated 20.05.2022 registered for the offence
punishable under Sections 392 and 397/34 of IPC.

The FIR of the occurrence of loot is against unknown.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. Petitioner is not named in the FIR. The name of the
petitioner has been transpired on the basis of the confessional
statement of the co-accused, namely, Krishna Kumar. Further
submits that nothing has been recovered from conscious



possession or the house of the petitioner and till date no TIP has been conducted by the prosecution and except the confessional statement of the co-accused, namely, Krishna Kumar, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 06.09.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

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 Judicial Magistrate, 1st Class, Begusarai in connection with Nowkothi P.S. Case No. 68 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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