

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7160 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- MADHUBAN District- East Champaran

Babloo Kumar @ Babalu Kumar Son of Raghunath Sahani Resident of
Village-Bahuara Bhan, P.S.-Madhuban, Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2024 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned APP for the

State.

2. The petitioner is apprehending his arrest
connection with Madhuban P.S. Case No. 276 of 2023, F.I.R.
dated 15.06.2023 registered for the offences punishable under
Section 392 of the Indian Penal Code.

3. Allegation against the petitioner is that he along
with other co-accused persons surrounded the informant and his
associate and looted motorcycle and mobile phone, Aadhar
Card, Pan Card, etc. as well as cash of Rs. 700/-.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case only on the basis of disclosure



made by co-accused person namely Roshan Kumar. He further submits that from perusal of the seizure list it appears that recovery has been made from the house of other co-accused person and petitioner has been falsely implicated in the present case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case that the petitioner having clean antecedent and the name of the petitioner has been transpired on the basis of disclosure made by co-accused person namely Roshan Kumar,, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sadar, Motihari, East Champaran in connection with Madhuban P.S. Case No. 276 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 witness, 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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