

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13582 of 2024**

Arising Out of PS. Case No.-163 Year-2023 Thana- DARAUNDA District- Siwan

Rocky Singh @ Dipanshu Singh Son of Vijendra Singh R/o Village-  
Rukundipur, P.S.- Daraunda, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

4      24-06-2024                      Heard learned counsel for the petitioner and learned  
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with  
Daraunda P.S. Case No. 163 of 2023 instituted for the offences  
under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that three  
motorcycle borne miscreants bearing registration no. BR29AX-  
5260, attacked the Informant with knife and, at the point of  
pistol, tried to snatch the camera of the Informant. On protest  
being made by the Informant, they assaulted him by means of  
knife and snatched the Panasonic MD113 camera including  
camera *Chhatri* and a pen drive.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. as the F.I.R. has been instituted against three unknown miscreants. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has not been put on Test Identification Parade till today. The name of the petitioner has transpired in this case in course of investigation on the basis of confessional statement of co-accused Anurag Kumar Singh. Except confessional statement, there is nothing against the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has seven criminal antecedents and, in all of them, he is on bail. The petitioner in custody since 03.06.2023 and has been remanded in this case on 23.12.2023.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that on the basis of the disclosures made by the petitioner in his confessional statement, the looted Panasonic camera was recovered from house of the co-accused which was also



identified by the Informant. He further submits that the petitioner has altogether seven criminal antecedents and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and there being no allegation of any assault against the petitioner, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Daraunda P.S. Case No. 163 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(iii) If the petitioner tampers with the evidence or the



witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

**(Rudra Prakash Mishra, J)**

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