

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22440 of 2024

Arising Out of PS. Case No.-200 Year-2022 Thana- CIVIL LINE District- Gaya

Shivam Kumar @ Shivam S/o Rajesh Kumar Singh @ Bhola Singh Resident
of Mohalla Chanakyapuri, Colony, MIG House No 13/c Road No 4 P.S.
Rampur, District Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjawal Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Civil Line P.S. Case No.200 of 2022 lodged under Section 392
of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against four named accused persons including the
petitioner against whom there is allegation that accused persons
in connivance with each other alleged to have committed the
robbery and fled from the place of occurrence, but upon chase,
those accused persons were apprehended.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits



that the police has hatched the conspiracy against him and figured his name in this case.

5. Counsel further submits that the petitioner is in custody since 05.07.2022 having 8 criminal cases pending against him in which he is on bail in all cases.

6. Counsel also submits that the other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 08.06.2023 passed in Cr. Misc. No. 29297/2023.

7. Learned counsel for the State opposes the prayer for bail and submits that

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Gaya in connection with Civil Line P.S. Case No.200 of 2022, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

9. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

i. Rampur P.S. Case No.324 of 2017.

ii. Konch P.S. Case No.83 of 2019.

iii. Delha P.S. Case No.240 of 2020.

iv. Rampur P.S. Case no.169 of 2022.

v. Rampur P.S. Case No. 177 of 2022.



- vi. Civil Line P.S. Case No.186 of 2022.
- vii. Rampur P.S. Case No.194 of 2022.
- viii. Civil Line P.S. Case No.197 of 2022.

(Dr. Anshuman, J.)

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