

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28578 of 2024

Arising Out of PS. Case No.-187 Year-2022 Thana- CHARPOKHARI District- Bhojpur

Govind Kumar @ Govind Singh S/o- Nandji Singh @ Nandji Yadav Village-
Anua Ps- Sahar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shantam Shivam

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Charpokhari P.S. Case No. 187 of 2022 registered for the
offences punishable under Section 392 of the IPC.

3. As per prosecution case, informant's truck, Rs.
52,000/- , mobile and paper of the vehicle were taken away by
unknown miscreants. All the miscreants were aged about 25-30
years and FIR has been lodged against unknown.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR and during the course of
investigation petitioner has been remanded in the present case
which is mentioned in para 137 of the case diary. He further
submits that petitioner is in custody since 12.01.2024 and bears



criminal antecedent of four cases in which he is on bail in three cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. No Test Identification Parade has been held uptill now. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has been roped in a case one after another in a routine manner. Learned counsel further submits that except suspicion, there is nothing on record to demonstrate the complicity of petitioner with the alleged occurrence.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 187 of 2022, G.R. No. 5421 of



2022 subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

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