

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30016 of 2024

Arising Out of PS. Case No.-432 Year-2022 Thana- PIRO District- Bhojpur

Golu @ Dheeraj Kumar (Male) aged about 22 years S/o Mukesh Kumar
Singh R/o vill - Ram Dihal Tola, P.S. - Chandi, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner seeks bail in connection with Piro P.S.
Case No. 432 of 2022 dated 06.08.2022 registered for the
offence punishable under Section 395 of the Indian Penal Code.

3. The prosecution case, in short, is that on 05.08.2022 at
about 10:00 pm the informant was at Barauli at his Petrol Pump
while he was going shut down the Pump, four unknown persons
boarded on black color motorcycle and two persons on HF
Delux came at the Petrol Pump and looted Rs. 8000/- from a
staff of Pump namely Ranjan and Rs. 46,000/- from cash
counter. They took away V-Sat Machine and damaged POS
machine and computer etc. The miscreants also took away a



Nokia Mobile of pump staff Dadan.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that FIR has been lodged against unknown accused persons. Only on the basis of confessional statement of Suraj Kumar Shah, the petitioner has been made accused in this Case. It is submitted that nothing has been recovered from the possession of the petitioner. Neither any TIP has been conducted till date nor any incriminating articles has been recovered from the possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 27.01.2023, having eleven criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XII, Bhojpur at Ara in connection with Piro P.S. Case No. 432 of 2022, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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