

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34012 of 2024

Arising Out of PS. Case No.-7 Year-2023 Thana- TARAIIYA District- Saran

Sunil Kumar @ Sunil Prasad son of Sri Bharat Prasad R/o Village- Chhitauli
Kala, Chaklapar, P.S.- Goriakothi, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-06-2024 Heard Mr.Bishwajeet Singh, learned counsel for the

petitioner and Mr.Suresh Prasad Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
29.02.2024 in connection with Taraiya P.S. Case No. 07 of
2023, F.I.R. dated 08.01.2023 registered for the offence
punishable under Section 392 of IPC.

3. The FIR of the occurrence of loot is against
unknown.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Petitioner is not named in the FIR and the name of
the petitioner has been transpired during investigation on the
basis of the confessional statement of the co-accused person,



namely, Jitendra Prasad, till date no TIP has been conducted by the prosecution and except the confessional statement of the co-accused person, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Further submits that the co-accused persons, namely, Anup Kumar and Jitendra Prasad @ Jitendra Kumar have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 22.08.2023 and 16.10.2023 passed in Cr. Misc. Nos.52997 of 2023 and 66212 of 2023 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 29.02.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Saran in connection with Taraiya P.S. Case No. 07 of 2023, with the



following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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