

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39825 of 2024

Arising Out of PS. Case No.-8 Year-2023 Thana- DURAULI District- Siwan

Rahul Singh @ Dabloo Singh @ Rohit Singh S/O Virendra Singh, Resident of
Village- Rampur Nikari Don Buzurg , P.S.- Darauli, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-07-2024 Heard Mr. Ajay Kumar Tiwary, learned counsel
appearing on behalf of the petitioner and Mr. Parmanand Prasad,
learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Darauli P.S. Case No. 08 of 2023, registered for the offences
punishable under Section 392 of the Indian Penal Code .

3. As per the allegation made in the FIR, it has been
alleged by the informant that the petitioner along with other co-
accused persons committed robbery of amounting to Rs.
80,575/-, which were collected by him after selling of 70 gas
cylinders. FIR is against unknown.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and his name
has surfaced in course of the investigation on the disclosure



made by co-accused, Himanshu Singh, which creates doubt in respect of the petitioner having committed the offence. Petitioner is also ready to deposit the cost of 70 gas cylinders amounting to Rs. 80,575/-.

5. *Per contra*, learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submitted that the petitioner is one of the associates and with a common intention, they have committed robbery. As such, petitioner does not deserve to be released on pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the manner in which the crime has been committed and the petitioner is ready to deposit the value of 70 gas cylinders amounting to Rs. 80,575/-, as determined in the FIR by the informant and file an undertaking not to commit crime in future, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Darauli P.S. Case No. 08 of 2023, subject to



conditions as laid down under Section 438(2) of the Cr.P.C.

7.In case, the petitioner does not file a requisite with regard to deposit of Rs. 80,575/- at the time of filing of the bail bond, this order shall lose its force automatically.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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