

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40800 of 2024

Arising Out of PS. Case No.-678 Year-2022 Thana- SONEPUR District- Saran

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ROHIT KUMAR SON OF DEVENDRA SHARMA RESIDENT OF
VILLAGE - SABALPUR, BABHAN TOLI, POLICE STATION -
SONEPUR, DISTRICT - SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-06-2024 Heard Mr. Awadhesh Kumar Singh, learned counsel

for the petitioner and Mr. Manoj Kumar, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
16.02.2024, in connection with Sonepur P.S. Case No. 678 of
2022, F.I.R. dated 06.09.2022 registered for the offences
punishable under Section 394 of the Indian Penal Code.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. and the name of the petitioner has been transpired



during investigation on the basis of the confessional statement of co-accused person namely Raushan Kumar and except the aforesaid, no cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and till date no test identification was conducted by the prosecution and no incriminating article has been recovered from the possession of the petitioner. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 16.02.2024.

5. The learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is accused in three other cases but fairly submits that the petitioner is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances of the case, 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, Saran at Chapra in connection with Sonapur P.S. Case No. 678 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 shall remain physically present as directed 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) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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