

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42323 of 2024**

Arising Out of PS. Case No.-270 Year-2022 Thana- AMARPUR District- Banka

Rishi Raj Sharma S/O Manoj Kumar Sharma R/O Village- Paidapur,  
Bhikhaupur, P.S And Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      18-09-2024                      Heard Mr. Sudhir Kumar Mishra, learned counsel for  
the petitioner and Ms. Sangeeta Sharma, learned A.P.P. for the  
State.

2. The petitioner seeks bail, who is in custody since  
01.09.2022 in connection with Amarpur P.S. Case No.270 of  
2022 corresponding to G.R. No. 1316 of 2022 F.I.R. dated  
14.05.2022 registered for the offence punishable under Section  
392 of Indian Penal Code.

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. The name of  
the petitioner has been transpired during investigation on the  
basis of the tower location of the mobile of the petitioner which



was found near the place of occurrence and apart from that, thereafter, the petitioner has confessed his guilt in the present occurrence and nothing has been recovered from conscious possession of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 01.09.2022.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner which was supported by the electronic evidence and apart from that, the petitioner has confessed his involvement in the present occurrence. He further submits that the petitioner carries eight more cases other than the present one but fairly submits that out of eight cases the petitioner is on bail in six cases, as mentioned in paragraph 3 of the bail petition.

6. Considering the aforesaid facts as well as period of custody, 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 Judicial Magistrate-1<sup>st</sup>, Banka in connection with Amarapur P.S. Case No. 270 of 2022 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)**

Nitesh/-Harshita

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