

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42306 of 2024

Arising Out of PS. Case No.-40 Year-2020 Thana- KHAIRA District- Saran

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Arun Kumar Singh Son Of Rameshwar Singh Village- Kondh Bhagwanpur,
Ps- Panajpur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with ST No. 679A/2024 arising out of Khaira P.S. Case No. 40 of 2020 dated 11.02.2020, instituted for the offence punishable under Sections 395 of the Indian Penal Code.

3. As per the allegations in the F.I.R., seven accused persons on three motorcycles are said to have robbed the office of the informant and looted away Rs. 1,11,000/- approx on the point of pistol. The informant gave the description of the accused persons and also mentioned about CCTV footage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that petitioner



has not been named in the F.I.R. Only on the basis of confessional statement of Pankaj Kumar, the petitioner has been made accused in this case. No T.I.P. has been conducted. Nothing has been recovered from the house of the petitioner. It is submitted that similarly situated co-accused, namely, Pankaj Kumar & Tinku Sharma @ Tinku Kumar have been granted bail vide order dated 16.08.2021 & 04.07.2023 passed by different co-ordinate Bench of this Court in Criminal Miscellaneous No. 36218 of 2020 & Criminal Miscellaneous No. 29762 of 2023 respectively. Similarly situated co-accused, namely, Saroj Nat has also been granted bail vide order dated 08.06.2022 passed by this Court in Criminal Miscellaneous No. 5154 of 2022. Lastly, it has been submitted that the petitioner is in custody since 06.04.2024 having three criminal case against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed 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 court 8th Additional Sessions Judge, Saran at Chhapra in connection with S.T. No. 679 (A) of



2024 arising out of Khaira P.S. Case No. 40 of 2020, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
- III. 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.
- IV. 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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