

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42271 of 2024

Arising Out of PS. Case No.-56 Year-2022 Thana- BHAGWANPUR District- Vaishali

1. Bhushan Singh @ Chandra Bhushan Kumar Singh Son Of Suresh Singh
2. Manoj Kumar Sah @ Manoj Kumar Son Of Dukhit Sah Resident Of Village
- Bithauli, P.S. - Bhagwanpur, District - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-07-2024 Heard Mr.Devendra Kumar, learned counsel for the

petitioners and Mr.Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Bhagwanpur P.S.Case No.56 of 2022, FIR
dated 06.03.2022 registered for the offences punishable under
Section 379 of the Indian Penal Code.

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

4. Learned counsel for the petitioners submits that
petitioners have clean antecedent and they have falsely been
implicated in the present case and the petitioners are not named
in the FIR and the name of the petitioners have been transpired



during investigation merely on the basis of suspicion and some so called looted articles have been recovered from the shop of the petitioners. Further submits that till date no TIP has been conducted by the prosecution.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, they are not named in the FIR and the name of the petitioners have been transpired during investigation merely on the basis of suspicion, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bhagwanpur P.S.Case No.56 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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