

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56222 of 2024

Arising Out of PS. Case No.-660 Year-2022 Thana- DAUDNAGAR District- Aurangabad

Satyam Kumar @ Babi Son of Sri Mahendra Singh At Present - R/O Vill.- Ali Nagar, P.S.- Tilauthu, Dist.- Rohtas At Sasaram. Permanent Address - R/O Village- Bank, Ps- Akodhigola, Dist- Rohtas, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Krishna, Advocate

For the Opposite Party/s : Mr.Lalan Kumar,APPP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2024 Heard Mr.Radha Krishna, learned counsel for the petitioner and Mr.Lalan Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Daudnagar P.S.Case No.660 of 2022,FIR dated 24.11.2022 registered for the offences punishable under Section 392 of IPC.

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

4. Learned counsel 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 confessional statement of co-accused person, namely, Deepak Sharma @ Banty. Further submits that the petitioner has no concern at all with the co-accused person and except the confessional statement made by co-accused person, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the motorcycle, which was used in the crime in question, has been recovered from possession of co-accused person, namely, Bhauaali @ Amit and nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits that out of two cases, the petitioner has been granted privilege of anticipatory bail in one case and rest one case is pending for consideration, as mentioned in para-3 of the anticipatory bail petition.

6. Considering the aforesaid facts, let the



petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Daudnagar P.S.Case No.660 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) 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/her 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)

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