

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57785 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- BALIYA District- Begusarai

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Anurag Kumar Son of Ramadhar Singh, Resident of Vill- Sihma, P.S.-
Matihani, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bipin Kumar, Advocate
For the Opposite Party : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2024 Heard Mr. Bipin Kumar, the learned counsel for the

petitioner and Mr. Jagdhar Prasad, the learned Additional Public

Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since

23.04.2024, in connection with Ballia P.S. Case No. 78 of 2024,

FIR dated 04.03.2024, registered for the offences punishable under

Section 394 of the Indian Penal Code and under Sections 25(1-b)a,

26 and 27 of the Arms Act.

3. According to the prosecution case, the informant

along with the owner of the jewelry shop namely, Santosh Kumar,

were on the way to the owner's house, keeping various gold and

silver ornaments and Rs. 50,000/- (Rupees fifty thousand only)

cash in a bag. It is further alleged that as soon as they reached

Durga Asthan Mandir, three persons on a motorcycle surrounded

them and snatched the bag. It is further alleged that while leaving



from the place of occurrence, the arms and slipper of one co-accused persons fell on the ground.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that petitioner is not named in the FIR and name of petitioner transpired during investigation on the basis of confessional statement of the petitioner himself. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no *Test Identification Parade* has been has been conducted by the prosecution and except the aforesaid, no other cogent material has come during investigation which suggests that involvement of the petitioner in the present occurrence. He lastly submits that the police after investigation has submitted the charge sheet against the petitioner and the petitioner is in custody since 23.04.2024.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned



Additional District & Sessions Judge-VI-cum-POCSO Judge,
Begusarai, in connection with **Ballia P.S. Case No. 78 of 2024**,
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 learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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