

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59672 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- PATEPUR District- Vaishali

Sunny Kumar Son of Dinesh Rai R/o Village - Baligaon Musaharai Tola, P.S.-
Baligaon, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2024 Heard Mr.Mritunjay Kumar, learned counsel for the
petitioner and Mr.Anil Prasad Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
02.03.2024 in connection with Patepur P.S. Case No.235 of
2023, F.I.R. dated 02.10.2023 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 confessional statement of co-accused person and except
the aforesaid, no other material has come during investigation



against the petitioner to suggest the involvement of the petitioner in the present occurrence and nothing has been recovered from conscious possession or the house of the petitioner and till date no TIP has been conducted by the prosecution and the police, after investigation, submitted charge-sheet against the petitioner and the petitioner is in custody since 02.03.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the looted article has been recovered from possession of the petitioner and apart from that, the petitioner carries three more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Patepur P.S. Case No.235 of 2023, 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)

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