

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60483 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- BELDOUR District- Khagaria

Sumit Kumar S/o Jaynandan Reshidev Resident of village- Balaitha, Ward No 04, Mahua Patti Uttarwari, Ps Basnahi, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate
For the State : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-09-2024 Heard Mr. Jai Kishor Poddar, learned counsel for the petitioner and Mr. Nityanand, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Beldaur P.S. Case No. 47 of 2024, F.I.R. dated 20.02.2024 for the offences punishable under Sections 392 of the Indian Penal Code.

3. According to prosecution case, three unknown persons armed with illegal weapons stopped the motorcycle of the informant and snatched his bag.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from a bare perusal of the FIR it appears that the petitioner is not



named in the FIR, the name of the petitioner has been transpired during the investigation on the basis of the confessional statement of the co-accused person, namely, Bablesh Kumar.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent and his name has been transpired only on the basis of the confessional statement of the co-accused person, let the petitioner, above named, in the event of 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 the learned Judicial Magistrate, 1st Class, Khagaria in connection with Beldaur P.S. Case No. 47 of 2024, 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 absence on two consecutive dates without sufficient



reason, his 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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