

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61923 of 2023

Arising Out of PS. Case No.-390 Year-2022 Thana- RAJIVNAGAR District- Patna

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AMIT KUMAR SON OF ASHOK PRASAD RESIDENT OF RAM
KRISHNA NAGAR, ROAD NO.1, JYOTI PATH, WARD NO.3, P.S. - RAM
KRISHNA NAGAR, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyanka Singh, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 12-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Rajiv Nagar P.S. Case No. 390 of 2022 registered for the
offences punishable under Sections 356 and 379 of the Indian
Penal Code.

3. As per prosecution case, gold chain worth Rs.
40,000/- of informant's wife was snatched by two miscreants
and they fled away. Hence, F.I.R. was lodged against unknown.

4. Learned counsel for the petitioner submits that
petitioner is not named in F.I.R. and his name has been
transpired in this case upon the confessional statement of co-
accused Md. Zubaid @ Arya. Except confessional statement of



co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Petitioner is in custody since 20.02.2023 and bears criminal antecedent of twelve cases. He further submits that on account of series of criminal antecedents, petitioner has falsely been implicated in the present case without any basis. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. No T.I.P. has been conducted up till now. Petitioner is quite innocent and has committed no offence as alleged against him in F.I.R.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner keeping in view the criminal antecedent of petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. III, Patna in connection with Rajiv Nagar P.S.



Case No. 390 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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