

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72503 of 2024**

Arising Out of PS. Case No.-89 Year-2022 Thana- MAHINDWARA District- Sitamarhi

Arvind Kumar S/o- Jit Rai Resident of - Larkania, P. S.- Mahindwara, Dist-  
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      04-10-2024                      Heard Mr.Ashok Kumar Jha, learned counsel for  
the petitioners and Mr.Dilip Kumar No. 1,learned Additional  
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Mahindwara P.S.Case No.89 of 2022,FIR dated  
13.06.2022 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 clean antecedent. He 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 the confessional statement of co-accused person,



namely, Sachin Kumar and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and looted mobile has been recovered from possession of co-accused person.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, nothing has been recovered from conscious possession of the petitioner, petitioner is not named in the FIR and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Sachin Kumar, 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 C.J.M., Sitamarhi in connection with Mahindwara P.S. Case No.89 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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