

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84702 of 2023

Arising Out of PS. Case No.-261 Year-2020 Thana- MADANPUR District- Aurangabad

Rakesh Kumar Singh Son Of Rama Singh R/O Vill - Gardih, P.S. - Salaiya,
Distt. - Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Adv.

For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Madanpur P.S. Case No. 261 of 2020 lodged under Section 392
of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against four unknown accused persons against whom the
allegation of robbery is there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that name of petitioner has figured in this case by virtue of
confessional statement of co-accused.

5. Counsel submits that petitioner's antecedent is not
clean and there is one criminal case pending against him in



which he is on bail. He submits that petitioner is in custody since 13.09.2023.

6. Counsel also submits that the co-accused whose name has come by confessional statement of petitioner, has been granted bail by the Co-ordinate Bench of this Court vide order dated 11.08.2023 passed in Cr. Misc. No. 51419/2023. He further submits that section under which charge has been filed, is magisterial triable in nature.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad (Bihar) , in connection with Madanpur P.S. Case No. 261 of 2020, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

Prakashmani/-

U		T	
---	--	---	--

