

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85421 of 2023

Arising Out of PS. Case No.-516 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Krishna Kumar Son Of Raj Kumar Singh R/O Village- Chakanhawa, P.S.-
Dehri (INDRAPURI), Dist.- Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-01-2024 Heard Mr.Sanjay Kumar, learned counsel for the
petitioner and Mr.Murli Dhar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 25.06.2022 in connection with Sasaram (T) P.S. Case No. 516 of 2022, F.I.R. dated 23.06.2022 registered for the offence punishable under Section 392 of IPC.

3. Earlier the petitioner has been granted bail vide order dated 10.02.2023 passed in Cr. Misc. No.61048 of 2022 but the bail bond of the petitioner was not accepted by the learned court below on the ground that the petitioner has carried criminal antecedent but in the earlier bail petition the petitioner has stated that the petitioner has clean antecedent. Thereafter, the petitioner has moved before this Hon'ble Court for modifying the order dated 10.02.2023 by filing the modification



application bearing Cr.Misc. No. 18316 of 2023 which was dismissed by order dated 22.03.2023. Thereafter, the petitioner has moved before the learned Trial Court and thereafter he has filed the present bail petition.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that no incriminating article has been recovered from possession of the petitioner and the similarly situated co-accused person, namely, Sonu Sharma has been granted bail by this Hon'ble Court vide order dated 10.02.2023 passed in Cr. Misc. Nos.58473 of 2022. Further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 25.06.2022.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but he fairly submits that the petitioner is on bail in the said case, 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 C.J.M., Rohtas at Sasaram in connection with Sasaram (T) P.S. Case No. 516 of 2022, 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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