

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54599 of 2025

Arising Out of PS. Case No.-178 Year-2021 Thana- TARAIIYA District- Saran

Omprakash Sah @ O.P. S/o Kanhaiya Sah R/o Village - Rampur, P.S - Gaura,
District - Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aashi Wats, Adv.

Ms.Mili Kumari, Adv.

For the State : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Taraiyan P.S. Case No. 178 of 2021 registered for the offence
punishable under Section 392 of the IPC.

3. As per prosecution case, on 03.06.2021 the
informant was sitting in the counter of C.S.P. Meanwhile, three
miscreants came on a motorcycle and on the point of katta, they
took away bag and cash which were kept inside the counter and
almirah. It is alleged that said bag contained Rs. 90,000/-,
AADHAR Card, Pan Card, Voter I.D. Card, ATM Card, Cheque



Book and other documents relating to bank. It is alleged that upon the verification it is found that miscreants took away around two lakh rupees.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. Learned counsel further submits that petitioner bears criminal antecedent of ten cases. He further submits that petitioner has been roped in a case one after another by the police in a routine manner without any basis and just because of having criminal antecedent of series of cases, petitioner has been falsely implicated in the present case. He further submits that petitioner is not named in the FIR. No incriminating article was recovered from possession of the petitioner. Petitioner was not put on TIP. He further submits that charge has been framed on 21.07.2023 and since then the case is pending for examination of witnesses. He further submits that delay of trial is not in any way attributable to the petitioner as petitioner is in jail custody since 28.09.2021.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner on the basis of series of criminal antecedent of the petitioner.

6. Considering the facts and circumstances of the



case, period of custody, charge has already been framed and delay of trial is not in any way attributable to the petitioner, 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 Additional Chief Judicial Magistrate-1, Saran in connection with Taraiyan P.S. Case No. 178 of 2021, 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 each and every date without fail and absence for any single date 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he



shall get his presence marked before the officer-in-charge of the
concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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