

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37806 of 2018

Arising Out of PS.Case No. -519 Year- 2017 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

=====

Sumant Kumar @ Sumanta S/o Akhilesh Singh, R/o Vill.- Bhardwaj Nagar,
P.S.- Muffasil, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 16-08-2018 Heard learned counsel for the petitioner and the learned
counsel appearing on behalf of the State.

The petitioner is in custody since 17.11.2017 in
connection with Muffasil P.S.Case No.519 of 2017 registered for
the offence under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the case
against the petitioner is wholly false and mischievous and in
another case in which the petitioner is also named as accused, he
has been granted privilege of bail.

Learned counsel for the State submits that the present
petitioner is habitual offender and he has looted the motor cycle in
the present case. The said motor cycle was then recovered from
his possession while he was in the process of commission of



another crime. It is, thus, submitted that the petitioner may not be extended the privilege of bail.

However, in response to the said submission learned counsel for the petitioner submits that though in another case the petitioner was arrested and the motor cycle was recovered from his possession, he has been extended the privilege of bail. He further submits that the petitioner is in custody since 17.11.2017 and he will face the trial and abide by the terms and conditions of this Court. It is further submitted by the learned counsel for the petitioner that though the petitioner having several criminal antecedents, he shall co-operate with the investigation and shall be present as and when he is so required.

In view of the aforesaid facts and circumstances and also because the petitioner is undertaking that he shall co-operate with the investigation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Begusarai, in Muffasil P.S. Case No.519 of 2017 subject to the following conditions that :-

- (i) one of the bailors will be his father,
- (ii) the petitioner shall not indulge himself in any similar offence till conclusion of the trial.



- (iii) the petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned. and
- (iv) the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

AnilKrSinha/-

U			
---	--	--	--

