

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25673 of 2019

Arising Out of PS. Case No.-48 Year-2017 Thana- RAMPUR CHAURAM District-
Jehanabad

SISHUPAL @ KALLU, aged about 21 years, Male, Son of Umesh Singh
Resident of Village -Madasi Motha, P.S.- Arwal, District- Arwal
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Rajeev Ranjan Sinha, Adv.
For the Opposite Party : Mr. Rita Verma, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-04-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
17.07.2018 in connection with Rampur Chauram P.S. Case No.
48 of 2017 for the offence alleged under Section 392 of the
Indian Penal Code.

The prosecution case, as lodged by the informant,
who is an Electricity Bill Collector, is that when he was
returning home with the collection, four miscreants snatched
Rs.9,526/-, bill receipts, mobile and power bank. The petitioner
and two others were identified by the informant.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in
the aforesaid case. He submits that neither the mobile nor the
power bank or money has been recovered from his possession



and that charge sheet has already been submitted, there being no allegation of tampering with the prosecution witnesses/evidence. It is, further, submitted that one of the co-accused has already been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No. 63439 of 2018, dated 12.10.2018, on similar allegations.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail stating therein that the petitioner is a habitual offender and three more cases of similar nature are pending against him.

Considering the nature of allegations, the period of custody and that one of the co-accused has been granted the privilege of bail, 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 in connection with Rampur Chauram P.S. Case No. 48 of 2017 to the satisfaction of the learned Additional Chief Judicial Magistrate, I, Arwal, or the successor Court, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



(ii) Petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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