

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No. 71902 of 2019**

Arising Out of PS Case No.-749 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

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Sujeet Kumar aged about 23 years (Male) Son of Deep Narayan Prasad,  
Resident of Village-Kharhar, P.S.-Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Ranjan, Advocate  
For the State : Mr. Anuj Kumar Shrivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN  
AMANULLAH**

**ORAL JUDGMENT**

**Date : 03-06-2020**

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Ravi Ranjan, learned counsel for the petitioner and Mr. Anuj Kumar Shrivastava, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Ahiyapur PS Case No. 749 of 2019 dated 22.06.2019 instituted under Section 394 of the Indian Penal Code.

4. The allegation against the petitioner is that he, along with other accused, had snatched the laptop and mobile of the informant.



5. Learned counsel for the petitioner submitted that he has no connection with the crime and has been falsely implicated by co-accused Nitesh Kumar, on whose confessional statement the petitioner has been made an accused. It was submitted that neither any motorcycle nor the looted laptop and mobile has been recovered from the possession of the petitioner and the mobile along with a pistol has been recovered from the possession of co-accused Nitesh Kumar. Learned counsel submitted that on the confessional statement of Nitesh Kumar and his family, the petitioner was earlier also implicated in seven other cases. Learned counsel submitted that due to family dispute with Nitesh Kumar, which resulted in the father of the petitioner being murdered by the cousin of Nitesh, he has been named as an accomplice. It was submitted that the petitioner was not put on Test Identification Parade and is in custody since 30.06.2019.

6. Learned APP, from the case diary, submitted that co-accused Nitesh Kumar has taken the name of the petitioner as one of the persons who had committed the crime. However, he could not controvert that there has been no recovery from the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.



25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Ahiyapur PS Case No. 749 of 2019 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

**(Ahsanuddin Amanullah, J.)**

P.Kumar/Anand Kr.

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