

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22892 of 2021

Arising Out of PS. Case No.-15 Year-2020 Thana- EKANGARSARAI District- Nalanda

SHANKAR KUMAR Son of Daya Nand Prasad @ Daya Nand Sha @
Dayanand Sah Resident of Village- Machharhatta Barbigha, P.S.- Barbigha,
District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 28-07-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 379 and 461 of the Indian Penal Code.

Earlier also, petitioner had moved this Court for grant of regular bail which was rejected vide Annexure 1 with liberty to renew his prayer for bail after framing of charges.

Allegation against the petitioner is of breaking the Tijori of informant's shop and taking away gold and silver jewellery. FIR is against unknown.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Similarly placed co-accused Ranjeet Chaudhary @ Ranjit Chaudhari has already been granted bail by a co-ordinate Bench of this Court as contained in Annexure 4. It is contended that charges has already been framed against the petitioner on 12.01.2021. Petitioner is in custody since 27.01.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ekangar Sarai P.S. Case No.15 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,

prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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