

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29924 of 2021

Arising Out of PS. Case No.-123 Year-2020 Thana- MOKAMAH District- Patna

SUMIT KUMAR Son of Sunil Mandal Resident of Village - Garhi, P.S.-
Lakhisarai Town, Distt.- Lakhisarai at Present C/o Sakarbar Tola, P.S.-
Mokama, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-11-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Mokama P.S. Case
no. 123 of 2020 registered for the offence punishable under
section 394 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is in custody since 15.10.2020 and charge sheet has
been submitted. Learned counsel for the petitioner further
submits that from perusal of the allegation as alleged in the FIR,
it would manifest that the informant Bimlesh Kumar has alleged
that on 25.6.2020 at about 12.15 p.m., he was going to home
from Patna along with his villager Kurban Miyan and when they
reached near Mokama Ram Ratan Singh college, he was



accosted by three unknown persons standing on the road one of them having covered his face with Gamcha and they stopped the motorcycle and hit the informant with the butt of the pistol on his head and due to which informant suffered bleeding injury and they looted his motorcycle. Learned counsel for the petitioner next submits that petitioner is not named in the FIR but he has antecedent as mentioned in para 3 of the bail petition. He further submits that since petitioner is having antecedent as such police implicated him falsely in this case based on secret information received from police spy as mentioned in para 10 of the bail petition. Learned counsel for the petitioner further submits that petitioner was arrested in connection with Mokama P.S. Case no. 130 of 2020 and thereafter, he was put on TI parade.

Learned APP opposed the prayer for bail.

Considering the facts that petitioner is in jail custody since 15.10.2020 and charge sheet has been submitted, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate II, Barh District Patna in Mokama P.S. Case no. 123 of 2020 with condition that one of the bailers would be



his father and till trial does not commence petitioner will mark his attendance every 15 days with the concerned police station and after trial commences petitioner will have to appear in the trial and if he fails to appear on two consecutive dates, the learned court below shall proceed to cancel his bail bond.

(Satyavrat Verma, J)

s.hassan/-

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