

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35251 of 2021

Arising Out of PS. Case No.-257 Year-2020 Thana- TEGHRHA District- Begusarai

SHARWAN KUMAR Son of Rameshwar Yadav Resident of Village - Pipra
Dewas, P.S.- Baruni, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Teghra P.S. Case No. 257 of 2020 registered for the offence under Sections 392 of the Indian Penal Code.

The case relates to snatching of motorcycle, mobile and cash of Rs. 4500/-.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. In fact, the petitioner has not been



named in the F.I.R. and merely on the basis of confessional statement of the co-accused, Chandan Kumar, this petitioner has been made accused in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Moreover, the co-accused, namely, Chandan Kumar, having more or less similar allegation, has already been granted bail by a co-ordinate Bench of this Court vide order dated 29.11.2021 passed in Cr. Misc. No. 32432 of 2021. The petitioner is rotting in judicial custody since 09.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner is having one more case other than the present one, which is evident from paragraph-3 of the petition.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 257 of 2020 with the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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