

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36764 of 2021

Arising Out of PS. Case No.-146 Year-2020 Thana- SABAUR District- Bhagalpur

Santosh Kumar, Son Of Anirudh Mandal Resident Of Village - Rasidpur,
P.O.- Shankar (Rattipur), P.S.- Nath Nagar, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh- Advocate

For the Opposite Party/s : Ms. Madhuri Lata- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-12-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Sabour P.
S. Case No.146 of 2020, instituted for the offences under
Sections 392, 395 and 412 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 14.01.2021 and charge-sheet has
been submitted in this case.

The learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the F.I.R., it would
manifest that the informant alleges that he had taken
consignment of salt from Naugachia to Ekchari and was
returning to Naugachia, then at about 11.30 P.M. on 02.06.2020,
in the night, he was accosted by three miscreants seated on a



motorcycle near Khankitta bridge at Ghoshpur and thereafter, it is alleged that on the point of gun, they looted the tractor, trailer and Rs.3300/- from the informant and fled away from the place of occurrence after tying him.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name has come on the confessional statement of Gautam Kumar. No incriminating article has been recovered from the possession of this petitioner.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 14.01.2021, charge-sheet has been submitted in this case, he is not named in the F.I.R. and even not put on T.I. Parade, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Puja Sharma, learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Sabour P. S. Case No.146 of 2020, with a condition that petitioner will have to mark his attendance before the concerned police station in between 20th to 25th of every month commencing from January, 2022, till the charges are not framed. In the event, the concerned police



station reports to the learned Court below that petitioner has violated the condition imposed as aforesaid in any of the month before framing of the charge, the learned Court below will be at liberty to cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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