

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.37227 of 2020**

Arising Out of PS. Case No.-246 Year-2019 Thana- BENIPATTI District- Madhubani

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Sujeet Kumar @ Sujeet Ram @ Sujeet Kumar Ram @ Habsi S/o Ram Babu
Ram R/o village- Kashipur, Ward No. 7, P.S.- Samastipur Town, District-
Samastipur Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha,Advocate
For the Opposite Party/s : Mr.Parmanand Kumar,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 13-07-2021 Learned counsel for the petitioner undertakes to remove

all the defects pointed out by the Stamp Reporter within four weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Parmanand Kumar, learned APP for the State.

The petitioner in the present case is seeking regular bail in
connection with Benipatti P.S. Case No. 246 of 2019 registered for
the offences punishable under Section 394 of the Indian Penal Code.
He is in custody since 24.12.2019.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR, however, in course of
investigation he has been brought in the purview of this case by
taking him on remand from Samastipur Muffasil P.S. Case No. 446
of 2019. In the said case, he is on bail.

Learned counsel further submits that till date, there is no
TIP, no recovery has been made from the possession of the petitioner



and save and except the confessional statement which has been extracted in police custody no other material is there to connect the petitioner with this case. It is further submitted that the co-accused Vikas Kumar, Prem Kumar Chaudhary and Rajesh Kumar @ Rahul Singh have been granted bail by learned Co-ordinate Benches and this Court as well in Cri. Misc. No. 26347 of 2020, Cri. Misc. No. 3981 of 2020 and Cri. Misc. No. 272 of 2021 respectively.

Learned APP for the State has though opposed the prayer for bail of the petitioner but considering the submissions advanced on behalf of the petitioner and noticing that except the confessional statement, no other material is being brought to the notice of this Court to corroborate the confessional statement, at this stage the Court is inclined to release the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – I, Benipatti, District Madhubani in connection with Benipatti P.S. Case No. 246 of 2019, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and



(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

