

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54547 of 2021

Arising Out of PS. Case No.-126 Year-2012 Thana- GORAUL District- Vaishali

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AMIT KUMAR SHRIVASTAVA @ PINTU SHRIVASTAVA Son of Sharda Prasad @ Sharda Prasad Shrivastava, Resident of Village - Sirsa Biran, P.S.- Sirsa Biren, P.S.- Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh,APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2021 Heard learned counsel for the petitioner and learned APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 394, subsequently Section 411 of the Indian Penal Code in which cognizance has been taken on 24.12.2020 under Sections 406, 420, 379, 411, 120B/34 of the Indian Penal Code.

Earlier the prayer for bail of the petitioner was



rejected vide a detailed order dated 20.10.2020 passed in Cr. Misc. No.24456/2020.

It has been submitted on behalf of the petitioner that the petitioner is not named in the FIR. Rather, for the first time, the name of the petitioner came in this case on the confessional statement of co-accused, namely, Kishori Rai. He further submits that the said Kishori Rai has already been granted bail by a co-ordinate Bench of this Court on 02.09.2013 passed in Cr. Misc. No.30510/2013 (Annexure-3) of the bail application.

He further submits that after submission of the charge sheet, the learned Additional Chief Judicial Magistrate-I, Vaishali at Hajipur took cognizance under Sections 406, 420, 379, 411, 120B/34 of the Indian Penal Code by order dated 24.12.2020.

It is also submitted that the offences alleged are triable by a court of Magistrate in which the petitioner is languishing in judicial custody for about one and half year i.e. since 03.04.2020 and the trial has not begun as yet.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in



connection with Goraul P.S. Case No. 126/2012 to the
satisfaction of learned Court below where the case is pending/
successor Court.

(Anjani Kumar Sharan, J)

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