

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.240 of 2021

Arising Out of PS. Case No.-49 Year-2020 Thana- SIWAN CITY District- Siwan

SUJIT KUMAR SAH S/o Late Jaynarayan Sah Resident of Village - Itwa
Bichla Tola, P.S. - Pachrukhi, District - Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 02-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Siwan Town P.S. Case No. 49/2020
registered for the offences punishable under Section 394/411 of
the Indian Penal Code.

Learned counsel for the petitioner submits that as per
the first information report when the informant had gone to
receive his father, in course of returning home at about 12:00
A.M., three motorcyclist surrounded the informant and
committed assault, the informant became injured and the
miscreants took away his mobile and other valuables.

Learned counsel for the petitioner submits that
petitioner is not named in the First Information Report and the
co-accused on whose confessional statement the name of this



petitioner has transpired has been granted bail by the learned court below itself in B.P. No. 197/2020. Learned counsel submits that in the cases mentioned in paragraph '3' of this application the petitioner is on bail.

Having regard to the facts and circumstances of the case wherein the petitioner is not named in the First Information Report and the co-accused on whose confessional statement the name of this petitioner has transpired has been granted bail by the learned court below itself in B.P. No. 197/2020 and further that the petitioner has been remanded in this case on 29.05.2020, there is no recovery from his possession and nobody has identified him as also that investigation against him is complete, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Siwan, in connection with Siwan Town P.S. Case No. 49/2020, subject to the condition 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 he is suspected, and

(c) that such person shall not directly or indirectly make any 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

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'.

