

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11620 of 2021**

Arising Out of PS. Case No.-212 Year-2020 Thana- SARAIYA District- Muzaffarpur

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Jitendra Kumar Son of Suresh Singh Resident of Village - Dumduma, P.S. -  
Vaishali, District -Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      15-07-2021                      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 within four weeks of resumption of normal  
court proceeding. In the eventuality of non-removal of defects  
within undertaken period, the office will place the matter before  
the Bench.

The petitioner seeks bail in a case registered for the  
offence punishable under Section 392 of the Indian Penal Code.

While the informant was regressing from Silliguri  
to Siwan from a pick-up van laden with vegetables, on way  
some unknown miscreants overtook his vehicles and on the  
strength of pistol they looted away his pickup van as well as  
cash and mobile.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. It is further submitted that co-accused, namely, Mithilesh Kumar and Jitendra Sahni, who were arrested on the basis of the confessional statement of the petitioner, have already been granted bail by the learned Court below. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Though the petitioner has two criminal antecedents but in both the cases he is on bail. The petitioner has been languishing in custody since 05.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Saraiya P.S. Case No.212 of 2020, subject to the following conditions :



(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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