

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7730 of 2022

Arising Out of PS. Case No.-511 Year-2021 Thana- SAKRA District- Muzaffarpur

PRINCE KUMAR S/o Mahesh Mahto Resident of Village- Jagdishpur
Baghnagri, P.S.- Katrsakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bipin Chandra

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for

the offence punishable under Sections 392 and 412 of the Indian

Penal Code.

Allegedly, this petitioner and co-accused snatched

away mobile phone from the hand of the informant and

thereafter, police arrived and the petitioner was caught and

looted mobile phone was recovered from his possession.

The main submissions advanced by the learned

counsel for the petitioner are that there is criminal antecedent of

one criminal case against the petitioner in which he is on bail



and he has been languishing in jail since 16.10.2021.

Learned APP opposes the prayer for bail.

Having considered the fact that investigation has been completed in respect of the petitioner as it appears from the order of the learned court below and the petitioner has been languishing in jail since 16.10.2021, in my view, a lenient approach may be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate 12, Muzaffarpur in Sakra P. S. Case No. 511 of 2021 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be close relative of the



petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent other than of Sakra P. S. Case No. 11 of 2021 of the petitioner is found then the court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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