

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9386 of 2022

Arising Out of PS. Case No.-250 Year-2020 Thana- KANKARBAG District- Patna

MD. SHAHJAD @ CHHOTU S/o Md. Zafar Resident of Ramna Road, Sapna
Apartment, Flat No. 4-C, Naya tola, Bankipore, P.S. - Pirbahore, Dist- Patna -
800004.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Mohan
For the State : Mr. Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 27-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from the date of
resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Kankarbagh P.S. Case No. 250 of 2020
registered for the alleged offences under Section 392 of the
Indian Penal Code.

The prosecution case is that the petitioner and co-
accused persons snatched the gold chain from the informant.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this



case. The petitioner is not named in the FIR and the case has been registered against unknown. Later on, he was dragged in this case only on suspicion. Nothing incriminating has been recovered from the possession of the petitioner and no TIP has been held till date. Charge sheet has been submitted in this case and the petitioner is in custody since 06.02.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that petitioner is a habitual offender and has a long criminal history.

Having regard to the submissions made hereinabove and considering the fact that charge sheet has been submitted in this case and the petitioner is in custody since 06.02.2021, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna in connection with Kankarbagh P.S. Case No. 250 of 2020, subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close



relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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