

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11635 of 2022

Arising Out of PS. Case No.-686 Year-2020 Thana- SONEPUR District- Saran

RAHUL KUMAR S/o Asharfi Sahani R/o village- Bharpura, P.S.- Sonapur,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh
For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the state.

Let the defect(s), if any, as pointed out by the office
be removed within 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 Sonpur P.S. Case No. 686 of 2020 registered
for the alleged offences under Section 456 and 379 of the Indian
Penal Code.

The prosecution case is that some unknown
miscreants snatched the bag of informant containing Rs.3,800/-,
one mobile phone, credit and debit cards. Later on, the name of
the petitioner surfaced as one of the miscreants.

Learned counsel for the petitioner submits that the



petitioner is innocent and he has not been involved in the alleged occurrence and nothing incriminating has been recovered from his possession. TIP has not been conducted. The petitioner has been made accused merely on suspicion and confessional statement of co-accused. In other cases also which were registered against unknown, the police has been sending the petitioner to judicial custody in all such cases. Charge-sheet has been submitted and in the instant case, the petitioner has been remanded in judicial custody since 03.03.2021.

Learned A.P.P. has opposed the prayer for bail of the petitioner and submitting that the petitioner has got criminal antecedent and he has looted money and other articles from the informant.

Having regard to the submissions made hereinabove and considering the facts that the F.I.R. has been registered against unknown and nothing incriminating has been recovered from possession of the petitioner and further considering the period of custody, 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 Chief Judicial Magistrate, Saran at Chhapra in connection with Sonpur P.S. Case No. 686 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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