

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10432 of 2022

Arising Out of PS. Case No.-217 Year-2020 Thana- CHENARI District- Rohtas

BITTU KUMAR @ SHASHI BHUSHAN KUMAR Son of Sachchidanand
Singh Resident of Village- Tekari, P.O.- Baraila, P.S.- Chenari, District-
Rohtas at Sasaram, Pin- Code- 821111 (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh, Advocate
For the State : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-08-2022 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 Chenari P.S. Case No. 217 of 2020 registered for the alleged offences under Section 392 of the Indian Penal Code.

The prosecution case is that three unknown miscreants entered into establishment of the informant and snatched seven mobile phones from the laborers and masons. They also took away pug machine and cutting torch which were



used as iron-cutting machine in establishment. Later on the name of the petitioner transpired as one of the accused persons.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case on the basis of his own confessional statement and also in the confessional statement of the co-accused. Nothing incriminating has been recovered from the person/possession of the petitioner. The petitioner has not been put to Test Identification Parade. Charge sheet has been submitted in this case and the petitioner is in custody since 21.08.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner was arrested when his name came up during investigation for committing the crime in his own confessional statement as well as that of co-accused. The learned APP further submits that the petitioner is having criminal antecedent.

Having regard to the submissions made hereinabove and considering the fact that the charge sheet has been submitted in this case and further considering the period of custody of the petitioner, 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, Rohtas at Sasaram in connection with Chenari P.S. Case No. 217 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 on 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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