

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11144 of 2022**

Arising Out of PS. Case No.-104 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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Nagendra Kumar Son of Lakshmi Sharma Resident of Village Khuresan Ward
No. 08, P.S.- Salkhua, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan, Adv.
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sahebpur
Kamal P.S. Case No. 104/2021 lodged under Section 392 the
Indian Penal Code.

As per allegation made in the FIR, informant alleged
that three unknown persons came out from the Bolero vehicle
and one person stopped me on the point of pistol, they looted
Rs.27,800/-, two mobiles and they also robbed the beg of the
informant, they took the key of motorcycle and they were aged
about 25-30 years.

Learned counsel for the petitioner submits that FIR
has been lodged against unknown, nothing has been recovered



from the possession of the petitioner and no T.I. Parade has conducted in this case. He further submits that the name of the petitioner has been figured in this case due to confessional statement of co-accused, namely, Angad Kumar. He further submits that the said co-accused, namely Angad Kumar has disclosed the name of three persons including the petitioner out of three, two were granted bail by co-ordinate Benches of this court vide order dated 13.04.2022 and 11.04.2022 passed in Cr. Misc. No.60201/2021 and Cr. Misc. No. 58785/2021.

Learned counsel for the petitioner further submits that charge sheet has already been submitted in this case and the petitioner is in custody since 07.09.2021 and petitioner has one criminal antecedent in which he is on bail.

The learned A.P.P. for the State opposes the prayer for bail.

In the facts and circumstances of the case that charge sheet has already been submitted, petitioner is in judicial custody 07.09.2021 and similarly situated co-accused persons have been granted bail by co-ordinate Benches of this court, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned



A.C.J.M.-Ivth, Begusarai in connection with Sahebpur Kamal
P.S. Case No.104/2021, subject to conditions:-

The petitioner is directed to file an affidavit before the
trial court that he shall not involve in such types of activity in
future at the time of furnishing his bail bond.

The prosecution is at liberty to file cancellation of
bail, in case the petitioner violates his undertaking.

Petitioner is also directed to appear on each and every
dates in this case before the trial court failure to appear on two
consecutive dates shall be resulted into cancellation of bail of
the present petitioner.

(Dr. Anshuman, J)

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