

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13794 of 2022

Arising Out of PS. Case No.-263 Year-2021 Thana- SHAHKUND District- Bhagalpur

CHOTU KUMAR ,Son of Late Kedar Sah @ Kedar Sah Resident of Village -
Pachrukhi (Paeldominiyamal), P.S.- Sahkund, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-07-2022 Heard Mr. Indeshwari Prasad Mandal, learned
counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with
Sahkund (Sajour) P.S Case No. 263 of 2021, registered for
the offences punishable under Section 392 of the IPC.

As per allegation, two mobile phones, ATM Swipe
machine, Aadhar finger machine, bank pass-book, cheque
book and a bag, containing Rs. 60,000/-, has been snatched
away.

The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
this case. He further submits that the case has been lodged



against unknown persons. Nothing has been recovered from the conscious possession of the petitioner. His name has emerged on the confessional statement of the co-accused.

The petitioner is in custody since 08.10.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M – II, Bhagalpur in connection with Sahkund (Sajour) P.S Case No. 263 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.



(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.



The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

uttam/-

U			
---	--	--	--

