

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13719 of 2022

Arising Out of PS. Case No.-211 Year-2021 Thana- UJIYARPUR District- Samastipur

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SUBHAM KUMAR CHOUDHARY @ SUBHAM CHAUDHARY, Son of
Late Braj Bhusan Chaudhary Resident of Village - Chand Chaur Dih, P.s.-
Ujiyarpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap

For the Opposite Party/s : Ms. Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Ujiyarpur P.S. Case No. 211 of 2021, registered for the

offences punishable under Sections 382/34 of the Indian

Penal Code.

As per allegation, two unknown miscreants took

informant's motorcycle along with a bag, containing mobile

phone, ATM card and other important documents.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

this case only on account of suspicion. In fact, his name is



added to any offence committed in the area by the Police on account of his criminal antecedents. He further submits that he was not named in the F.I.R., his name has emerged only on the confessional statement of other co-accused person.

The petitioner is in custody since 20.11.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of Anticipatory Bail or Regular Bail.

It has further been stated that the petitioner has been made accused in sixteen other cases, namely, Dalsinsarai P.S. Case No. 127 of 2018, Dalsinsarai P.S. Case No. 41 of 2019, Dalsinsarai P.S. Case No. 11 of 2020, Ujiyarpur, P.S. Case No. 127 of 2018, Ujiyarpur P.S. Case No. 211 of 2019, Ujiyarpur P.S. Case No. 237 of 2019, Ujiyarpur P.S. Case No. 256 of 2019, Ujiyarpur P.S. Case No. 314 of 2019, Ujiyarpur P.S. Case No. 20 of 2020, Ujiyarpur P.S. Case No. 137 of 2021, Ujiyarpur P.S. Case No. 211 of 2021, Ujiyarpur P.S. Case No. 212 of 2021, Ujiyarpur P.S. Case No. 174 of 2021, Vidyapatinagar P.S. Case No. 6 of 2020, Vidyapatinagar P.S. Case No. 7 of



2020 and Sarai Ranjan P.S. Case No. 88 of 2021.

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

Considering the aforesaid 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 C.J.M., Dalsinasarai in connection with Ujiyarpur P.S. Case No. 211 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 criminal antecedent other than the disclosed one, 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)

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