

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13742 of 2022

Arising Out of PS. Case No.-628 Year-2021 Thana- KHAGARIA District- Khagaria

SUDHIR KUMAR SUMAN, SON OF PRAKASH MAHTO R/O VILLAGE-
RATAN, P.S.- GOGRI, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-07-2022 Heard Mr. Binod Kumar, learned counsel for the

petitioner and learned APP for the State.

The petitioner seeks bail in connection with

Khagaria P.S. Case No. 628 of 2021, G.R. No 2545 of

2021, registered for the offences punishable under Sections

341, 323, 384, 504, 506 and 414/34 of I.P.C.

As per allegation, when the informant was running

his 12 tyres vehicle, bearing Registration No. BR01GC8166,

the petitioner and his associates stopped the vehicle and

demanded money from him. On information, police came

there and arrested the petitioner.

The learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. He further submits that ingredients of Section 384 as well as Section 414 IPC are not attracted to the alleged facts and circumstances. He also submits that no incriminating articles have been recovered from the conscious possession of the petitioner. It has further been submitted that general and omnibus allegation has been levelled against the petitioner.

The petitioner is in custody since 09.08.2021.

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

It has further been stated that the petitioner has been made accused in one more case, namely, Gogri P.S. Case No. 325 of 2020.

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 Simmi Kujur, Judicial Magistrate, Ist Class, Khagaria, in connection with P.S Case No. 628 of 2021, G.R. No. 2545 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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