

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15654 of 2022**

Arising Out of PS. Case No.-173 Year-2021 Thana- TRIVENIGANJ District- Supaul

SANDEEP KUMAR @ MITHUL YADAV @ MITHUL S/o Rajendra Yadav
Resident of Village- Moura Ramnagar, P.S.- Shankarpur, District- Madhepur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

3 01-08-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Triveniganj P.S. Case No. 173 of 2021 for the offences
under Sections ACJM-1st, Supaul of the Indian Penal Code.

The allegation in the FIR is that the informant being
an employee of shoe shop, on the fateful day, as he was
returning home after collecting the amount, it is alleged that
two motorcycles overtook him and thereafter snatched the
collected amount and fled away.

Learned counsel for the petitioner submits that his
name came in the confessional statement of co-accused, Sanjiv



Kumar and nothing has been recovered from his possession. He further submits that after being taken into judicial custody in July 2021 in a different case, he was remanded in this case on 05.08.2021 and is in jail since then.

Taking into account the aforesaid fact that nothing has been recovered from his possession pursuant to the statement made by the co-accused, he is in jail since 02.07.2021 (as stated in paragraph-13 of the bail application) and charge sheet stands submitted, this Court is inclined to grant him the privilege of bail subject to certain condition in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of like amount each to the satisfaction of ACJM-1st, Supaul in connection with Triveniganj P.S. Case No. 173 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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