

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22352 of 2022**

Arising Out of PS. Case No.-686 Year-2020 Thana- SONEPUR District- Saran

=====

Dasharath Kumar @ Akash Kumar S/o- Dwarika Rai Resident of Village -  
Pravejabad, P.S.- sonpur, District - Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Prabhakar Singh, Advocate.

For the Opposite Party/s : Mr.Vinod Kumar No-3, APP.

=====

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      21-07-2022                      The learned counsel for the petitioner is directed to  
  
remove all the defects pointed out by the Stamp Reporter within  
  
one month.

Heard learned counsel for the petitioner and the  
learned APP for the State.

It is submitted by learned counsel for the petitioner  
that in the prayer portion P.S. case no. has been wrongly  
mentioned but in other paragraphs the P.S. case no. has been  
rightly typed, accordingly he wants to make the necessary  
correction in the prayer portion.

In view of the above prayer the petitioner is permitted  
to make the necessary correction in the prayer portion with  
regard to P.S. Case No.

Petitioner seeks regular bail in connection with  
Sonpur P.S. case no. 686 of 2020 registered for the offences  
punishable under Sections 456 and 379 of the Indian Penal



Code.

As per allegation, the accused persons were riding a motorcycle and snatched away a bag containing a sum of Rs. 3,500/- a mobile phone, credit cards and other cards from the possession of the petitioner.

The main submissions advanced by learned counsel for the petitioner are that petitioner has been languishing in jail since 02.09.2021 and mainly on the basis of Call Details Report (CDR) concerned to alleged looted mobile phone the petitioner was dragged in the present case, in fact petitioner had purchased the said mobile phone from a local shop, due to which his name surfaced in the alleged crime on the basis of confessional statement of co-accused. Further submission is that in respect of petitioner TIP has not been conducted by the police after he was taken into custody and against him there are five criminal cases in addition to the present case and he is on bail in four cases and in the fifth case concerned court has called for the case diary. Further submission is that the petitioner was remanded in other said criminal cases after he had been taken into custody in the present case.

Learned APP has opposed the prayer for bail.

Having considered the above submissions and



petitioner's custody period as well as taking into account the defence taken by the petitioner in paragraph no. 8 of his petition this Court is inclined to take a lenient approach in respect of petitioner's prayer. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Sonpur P.S. case No. 686 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

**(Shailendra Singh, J)**

siddharthkr/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

