

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22833 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- JAMHOR District- Aurangabad

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Shashi Ranjan Kumar @ Chhotu S/o Munna Singh @ Banka Manket
Virbihari Singh @ Bake Bankatesh Virbihari Singh R/o village- Jokhari, P.S.-
Jamhore, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.

For the Opposite Party/s : Mr. Madhuri Lata, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-07-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard Mr. Sanjay Kumar, learned counsel for the

petitioner as well as learned Additional Public Prosecutor for the

State.

The application for grant of bail to the petitioner,

above named, who has been made accused and put behind the

bar in connection with Jamhore P. S. Case No. 49 of 2022

registered for the offences punishable under Sections 457 and

380 of the Indian Penal Code.

As per the prosecution case, it is alleged that in the

night of 07.03.2022, when all the family members of the



informant had gone to sleep, all of a sudden, they heard some sound of jumping of a man on which they began to search and thereupon, this petitioner was caught from the toilet.

Learned counsel appearing on behalf of the petitioner submitted that in fact, the petitioner used to give tuition to the children of the petitioner and when he had gone to demand his wages then he was tied and beaten and thereafter, handed over to the Police. Even as per the allegation, no case under Section 380 of the Indian Penal Code is made out. It is next submitted that even as per the tenor of the F.I.R., there is no allegation of theft against this petitioner and moreover, no incriminating material has been recovered from his person or possession. It is next submitted that this petitioner is in custody since 07.03.2022, having fair antecedent.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner has appropriately punished.

Having considered the submissions made on behalf of the parties and taking into account the nature of allegation, apart from that nothing has been recovered from person or possession of this petitioner and he is in custody since 07.03.2022, let the petitioner, above named, be released on bail



on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Jamhore P. S. Case No. 49 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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