

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22814 of 2022**

Arising Out of PS. Case No.-87 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Bittu Kumar @ Chaman Kumar @ Bittu @ Bittu Kunwar @ Chaman Kunwar
@ Bittu Singh S/o- Subhash Kumar @ Subhash Kunwar Resident of Village -
Sonbarsha (Sonbarsa), P.S. - Bihpur, District - Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak, Advocate.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP.

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 27-07-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kotwali P.S. Case No. 87 of 2021 lodged under Sections 392 of
the Indian Penal Code.

As per the prosecution case, the informant is agent of
Vishal Swarnika Jewellers inform to the police that in the
morning of 6 A.M. of 06.02.2021, he was going to Kolkata by
Jamalpur Howrah Super train, upon returning he was chased by
the accused persons through two motorcycles on which 4
persons were sitting they all have surrounded the informant and



snatched two bags in which his personal articles and gold ornaments of 1.850 Kg. It has been identified that all persons were unknown to him but he has only indicated about the same and claim that he shall identify.

Learned counsel for the petitioner submits that petitioner is not named in F.I.R. He further submits that nothing incriminating thing has been recovered from the possession of the petitioner and no T.I.P. has taken place. He further submits that there is two criminal cases pending against him but in both the cases he is on bail. He further submits that in this case his name has come on the confessional statement of the co-accused and in those cases he has been granted bail by the Co-ordinate Bench of this Court (Annexure – 2/2A)

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-V, Bhagalpur in connection with Kotwali P.S. Case No. 87 of 2021, subject to the conditions as laid down under Section 437(3) of



Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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