

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23891 of 2022

Arising Out of PS. Case No.-1026 Year-2020 Thana- BANKA District- Banka

Indrajeet Kumar Son Of Krishna Mohan Sah Resident Of Village - Jogdiha,
P.S.- Banka, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 02-08-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State through video
conferencing.

Petitioner seeks bail in a case registered in connection
with Banka P.S Case No. 1026 of 2020 for the offences
punishable under Sections 379 of 461 of the Indian Penal Code.

As per the prosecution case, it is alleged that
informant was informed that shutter of his mobile shop was
broken. The informant reached at his shop and found that
several mobiles and cash of Rs. 32000/- were stolen by
unknown persons.

It is submitted by the learned counsel for the



petitioner that FIR has been instituted against unknown persons. However, during the course of investigation, on the disclosure made by the spy, the house of the petitioner was raided and from there eight stolen mobiles were recovered. Moreover, neither the looted mobiles nor the petitioner has been put on TIP. It is also submitted that petitioner is in custody since 24.02.2022, having fair antecedent. Apart from the fact that the investigation of the crime is already been completed and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that looted mobiles have been recovered from joint family house and till date neither the petitioner nor the alleged recovered mobiles have been put on TIP and he is in custody since 24.02.2022, having fair antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S Case no. 1026 of 2020 subject to the condition that one of the bailors will be the close relatives 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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