

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23919 of 2022

Arising Out of PS. Case No.-160 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

Sanjeev Kumar @ Sanjeev Singh @ Sanjeev Kumar Sonu, Son of Sri Merunandan Singh, R/O Village- Bahadurpur, Near Madhu Gas Godown, P.S.- Industrial Area, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-07-2022 Today this case has been listed on priority basis on the motion slip filed by the learned counsel for the petitioner.

Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Arjun Kumar, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Industrial Area P.S. Case No. 160 of 2021 registered for the offences punishable under Sections 325, 341, 323, 324, 307, 379/34 of the Indian Penal Code.

The prosecution case is based upon a written report filed by the informant alleging therein that on 06.12.2021 co-



accused Saurabh Kumar came to the rented house of the informant and asked for the rent and when the informant has asked him to come later on, some altercation has taken place and thereafter it is alleged that co-accused forcibly took away Rs.50,000/- from his Almirah and snatched golden neckless from her neck. It is further alleged that thereupon the mother of the informant went to the house of the accused persons thereupon all of them assaulted with Farsa and rod, due to which the informant and his younger brother received injuries.

It is submitted by the learned counsel appearing on behalf of the petitioner that from the F.I.R. it is evident that there is no specific allegation against the petitioner and moreover the specific allegation has been levelled against co-accused Saurabh Kumar. It is next submitted that he being the cousin of co-accused Saurabh Kumar, his name has been implicated in this case. It is also submitted that the injuries, which are alleged to have inflicted on the informant as well as on his brother have been found to be simple in nature, except one, which has been inflicted to the brother of the informant over his hand, however, that has not been attributed to the petitioner. It is next submitted that three other co-accused persons have been granted anticipatory bail by the learned court



below itself and the copies of which have been annexed as Annexure-4 to this application. It is next submitted that this petitioner is a student, aged about 22 years, having fair antecedent is in custody since 22.02.2022 and investigation of the crime is already completed and the charge-sheet has been submitted and as such keeping the petitioner behind the bar would not serve any purpose.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner has actively participated in the alleged crime and moreover charge-sheet has been submitted against the petitioner.

Having considered the submissions made on behalf of the parties and taking into consideration the nature of allegation, apart from the fact that petitioner is in custody since 22.02.2022 having clean antecedent, though the investigation of the crime is already completed and the charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Industrial Ara P.S. Case No. 160 of 2021, 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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