

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25600 of 2022

Arising Out of PS. Case No.-18 Year-2020 Thana- PATORI District- Samastipur

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BIPUL SHARMA @ BIPIN KUMAR, Son of Sri Nawal Kishor Sharma @
Nawal Kishor Thakur Resident of Village - Haripur Krishna , P.s.- Sakra,
Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Shahpur Patori P.S. Case No.18/2020 instituted under
Section 395 of the Indian Penal Code.

As per the allegation in the FIR, there was ‘*dacoity*’ in
LIC, Sahpur, Patori Branch in which Rs.10,71,803/- was looted.

The case was instituted on 20.01.2020 and as per the
record Manjit Kumar Choudhary was arrested on 02.03.2020
and on his confessional statement the name of the petitioner
cropped up. Still he took a long time before coming into
judicial net on 19.10.2020 and as per his para-3 statement in
between he also became accused in Shastri Nagar P.S. Case



No.113 of 2020 under Section 399, 402 of the Indian Penal Code and 25(1-b)a/26 of the Arms Act as also Shastri Nagar P.S. Case No.110 of 2020 under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that although his name came in the confessional statement, there has not been any recovery from his part. He also submits that some of the co-accused have since been granted the privilege of bail.

The petitioner is accused in seventeen criminal cases of same nature in different districts like Muzaffarpur, Patna, Samastipur, East Champaran, etc.

Considering the aforesaid act/attitude of the petitioner, this Court at first instance was not inclined to grant him privilege of bail. However in view of the fact that there has not been any recovery from his part, his name has come up in the confessional statement of one Manjeet Kumar Choudhary who has since been released on bail, this Court deems it appropriate that the petitioner be released after framing of the charges.

Let the petitioner be released on bail after framing of charge on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Shahpur Patori P.S. Case No.18/2020 to the



satisfaction of learned A.C.J.M.,IV, Samastipur, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his/her bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of trial to mark his/her presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his/her bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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