

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30528 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- SHEOHAR District- Sheohar

Chhotu Maharaj @ Rishi Kumar Sharma, Son of Ashok Kumar Sharma, R/O-
Vill- Madhu Chhapra, P S.- Minapur, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Sheohar P.S. Case No. 48 of 2022 registered for the alleged offences under Section 392 of the Indian Penal Code.

As per prosecution case, three miscreants snatched the bag of the informant in which she has kept Rs. 90,000, some jewellery pieces, two passbook, two Aadhar cards and some LIC papers. The name of the petitioner came up as an accused during investigation.



Learned counsel for the petitioner submits that petitioner is innocent. The petitioner is not named in the F.I.R. and he has been falsely implicated in this case. Nothing incriminating has been recovered from person or possession of the petitioner. The petitioner is arrested merely on suspicion. This petitioner was not put to Test Identification Parade. The informant is known to the petitioner and she herself filed a petition in the court stating that the petitioner was not involved in the crime. Charge sheet has been submitted in this case and the petitioner is in custody since 23.02.2022.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner has got criminal history.

Having regard to the submission made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 48 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the



following conditions:

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

Rajnish/-

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(Arun Kumar Jha, J)

