

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31829 of 2022**

Arising Out of PS. Case No.-622 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Prem Kumar Sah, S/o late Shivji Sah Resident of Village - Kolhua
Paigambarpur, P.S. - Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-09-2022 Heard Mr. Sanjay Kumar @ S.K, learned counsel
appearing on behalf of the petitioner and Mr. Choubey Jawahar,
learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Town P.S. Case No. 622 of 2020, for the offence punishable
under Section 392 of the Indian Penal Code.

As per allegation made in the F.I.R. four unknown
miscreants arrived at the place of occurrence and snatched the
car of the informant and forcibly snatched his laptop, cash of
Rs. 50,000/- and other articles from the car.

Learned counsel appearing on behalf of the petitioner
submits that F.I.R. is against unknown. The petitioner has been



made accused on the basis of CCTV footage that he was found at the place of occurrence, however, nothing was recovered from the conscious possession of the petitioner. The petitioner has been made accused in the present case due to enmity with the informant. The petitioner is in custody since 21.12.2021, however, three cases are pending against the petitioner, but he is on bail in all cases. The Chargesheet has already been submitted in the present case there is no allegation of tampering with the evidence.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case and materials available on record and taking into consideration the period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Town P.S. Case No. 622 of 2020, subject to the following conditions:-

- (1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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