

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42087 of 2021**

Arising Out of PS. Case No.-387 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

Sanjeet Kumar S/O Raghunath Ray R/O Village-Dighi Kala Block, Police  
Station-Hajipur Sadar, District-Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      08-06-2022                      Let the defects, if any, be removed within four weeks  
from today.

Heard Mr. Sunil Kumar Singh, learned counsel for the  
petitioners as well as Mr. Yogendra Kuamr learned Additional  
Public Prosecutor for the State.

The petitioner apprehends his arrest in connection  
with Hajipur Sadar P.S.Case No. 387 of 2018 registered for the  
offences punishable under Sections 147, 149, 341, 323, 420,  
406, 385, 379, 307, 504 of the Indian Penal Code.

As per prosecution case, it is alleged that some days  
ago co-accused Vishwajit Rai came and purchased a mobile of  
Rs. 15,000/- and paid only Rs. 5000/- with sureties to pay rest  
amount but he did not pay the same. It is further alleged that  
the informant went to his house and demand due amount then



the FIR named accused persons assaulted him and snatched his gold chain.

At the outset, learned counsel for the petitioner submits at the bar that as per the information of his client, information till date the process under Sections 82/83 of the Cr.P.C have not been issued.

It is submitted on behalf of the petitioner that there is general and omnibus allegation against the accused persons and so far as the allegation of snatching of golden chain is concerned, the same is ornamental allegation is against the petitioner. It is further submitted that co-accused Vishwajeet Kumar @ Battish Rai @ Battish against whom there is specific allegation has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 28355 of 2021 vide order dated 28.02.2022, a copy of which is taken on record. It is next submitted that FIR has been instituted after delay of four days and the same has not been explained.

On the other hand, learned APP for the State opposes the bail application of the petitioner and submits that there is specific allegation against the petitioner.

Having considered the submissions made on behalf of the parties and taking into consideration the fact that, there is



unexplained delay in lodging of the FIR, apart from the fact that there is specific allegation against co-accused Vishwajeet Kumar, who has already been granted anticipatory bail by co-ordinate Bench of this Court and the petitioner having clean antecedent, let the petitioner above named, be released on bail, in the event of his arrest or surrender before the court below within eight weeks from today, on furnishing bail bonds of Rs. 10,000/- ( Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S.Case No. 387 of 2018 subject to the conditions as laid down under Section 438(2) of the code of Criminal Procedure with the following conditions:-

(I) One of the bailors should be the close relative of the petitioner.

(ii) The petitioner will cooperate in the investigation as well as in conclusion of the trial.

(iii) He will not try to tamper with the evidence or intimidate the witnesses in course of investigation or during the course of trial.

**(Harish Kumar, J.)**

N.K/-

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