

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33007 of 2022

Arising Out of PS. Case No.-137 Year-2021 Thana- KISHUNPUR District- Supaul

SUSHANT KUMAR SON OF RAMCHANDRA YADAV RESIDENT OF
VILLAGE- DAIFRA WARD No.10, P.S.- GWALPARA, DISTRICT-
MADHEPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Kishanpur P.S. Case No. 137 of 2021 registered for the offences
punishable under Sections 379, 411, 414 and 34 of the Indian
Penal Code.

As per prosecution case, the the pickup van of the
informant was stolen from where same was parked.

Learned counsel for the petitioner submits that
petitioner is in custody since 14.07.2021 as mentioned in
impugned order. Petitioner bears criminal antecedent of three



cases. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner is not named in the F.I.R. and the name of petitioner has transpired in the confessional statement of co-accused Bittu alias Aslam. Nothing has been recovered from the possession of the petitioner. One of the co-accused Ranjeet Kumar against whom recovery has been made has already been granted bail and the case of present petitioner stands on better footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named 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 to the satisfaction of learned CJM, Supaul in connection with Kishanpur P.S. Case No. 137 of 2021, subject to following conditions:-

- (i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

amitkr/-

U		T	
---	--	---	--

