

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33292 of 2022

Arising Out of PS. Case No.-1115 Year-2021 Thana- KHAJANCHI HAT District- Purnia

Abhishek Kumar @ Abhishek, son of Jangal Sharma @ Jangli Sharma
Resident of Village- Naya Tola, Ward No.23, P.S.- Naugachia, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-09-2022 Heard Mr. Amrendra Kumar, learned counsel
appearing on behalf of the petitioner and Mr. Anand Kishore
Choudhary, learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with K.
Hat (Maranga) P.S. Case No. 1115 of 2021 for the offence
punishable under Section 392 of the Indian Penal Code.

Prosecution story, in brief, is that the petitioner who
happens to be mechanic along with other unknown miscreants
had intercepted the vehicle of the informant on which his staff
who were engaged in the event management were made captive
by tying them in the forest area. It is alleged that the accused
persons had come on one Scorpio. The miscreants forcibly taken



away the mobile phone, one laptop and other articles used in decoration. Informant is the owner of the said event management company which is run by him in the name and style of Phoenix Event Innovation.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner has surfaced in the present case on the basis of confessional statement of one co-accused Md. Sufiyan leading to the arrest of the petitioner and recovery of the robbed articles from the house of co-accused Md. Sufiyan. Neither any incriminating material has been recovered from conscious possession of the petitioner or from his house nor he has been put on T.I. parade. Such confessional statement leading to recovery establishes the allegation that it was the said accused who was involved in the alleged crime and due to enmity present petitioner has been made accused in the present case because he was running a motor repairing garage. Charge sheet has already been submitted. Petitioner has remained in custody since 06.03.2022.

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

Having heard the rival submissions of the parties, nothing has been recovered from conscious possession of the



petitioner or from his house, he has not been put on T.I. parade, he is in custody since 06.03.2022 and the trial is not likely to be concluded in near future, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea in connection with K. Hat (Maranga) P.S. Case No. 1115 of 2021, 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.

(Purnendu Singh, J)

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