

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33978 of 2022

Arising Out of PS. Case No.-161 Year-2021 Thana- DALSINGHSARAI District- Samastipur

SUNNY KUMAR @ CHHOTIYA S/o Debu Chaudhary R/o- Village -
Chakdillar- Ward No.-04, Rashidpur, P.S.- Bachhwara, Dist.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Suresh Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Petitioner seeks regular bail in Dalsinghsarai P.S Case
No. 161 of 2021 registered for the offence punishable under
Section 395 of the Indian Penal Code.

As per allegation, while the informant was returning
from village Nagar Gama by his motorcycle, six miscreants
riding on two motorcycles stopped him and snatched his
motorcycle, purse containing 12,500/- cash, Adhar card, Pan
card, ATM card, voter ID etc on the point of gun.

The main submissions advanced by learned counsel Shri
Shubhesh Pandey appearing for the petitioner are that petitioner
is not named in the FIR, he has been remanded in this case from



Vidyapati Nagar P.S. Case no. 77/2021 and after taking him in custody in the present case, no recovery of the alleged looted articles has been made from the possession of the petitioner and he has not been put on test identification parade and similarly situated co-accused person has been granted bail by a coordinate bench of this court vide order passed in Cr. Misc. no.3953/2022 and has been languishing in jail since 9.8.2021. Further submission is that petitioner was arrested in Vidyapati Nagar P.S. Case no. 77/2021 and thereafter he was remanded in other cases shown his criminal antecedents.

Sri Suresh Prasad Singh, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides and perused the FIR. No looted article has been recovered from the possession of the petitioner after arrest in the said case.

In view of above submissions and considering petitioner's custody period as well as above mentioned facts which have not been refuted by learned APP, in the opinion of this court, a lenient approach can be taken in respect of the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial



Magistrate I, Dalsinghsarai in Dalsinghsarai P.S Case No. 161 of
2021.

(Shailendra Singh, J)

s.hassan/-

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