

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34321 of 2022**

Arising Out of PS. Case No.-71 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

SUGRIV KOIERY SON OF JHAGARU KOIERY R/O VILLAGE-
SONBARSHA, P.S.- CHAINPUR, DISTRICT- KAIMUR AT BHABUA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant 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 Chainpur P.S Case No. 71 of 2021 initially registered for the offences punishable under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code in which subsequently sections 395, 411, 412 IPC were also added.

As per the allegation on the alleged night of the occurrence this petitioner and some unknown persons came and started abusing the informant and thereafter tide the informant and his companion and thereafter the petitioner and co-accused persons forcefully took away some sheep out of total 700 sheep of the informant.

The main submissions advanced by learned counsel



Sri Rajni Kant Pandey for the petitioner are that against the petitioner there is criminal antecedent of seven cases in which he is on bail and in the instant case co-accused persons carrying similar nature of allegation have been granted bail by a batch orders passed by a coordinate bench of this court vide Cr. Misc. no. 67489 of 2021 and analogous cases and petitioner is not named in the FIR and his name surfaced during the course of investigation mainly on the basis of suspicion and the present case was initially lodged under section 379 of IPC and section 395 IPC was added subsequently but the same is not applicable in the present case. Further submission is that after the arrest petitioner has not been put on test identification parade and he has been languishing in jail since 28.07.2021 in the present case.

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

In view of the above submissions and mainly considering the privilege of bail having been granted to similarly situated co-accused persons vide orders passed in above mentioned criminal miscellaneous cases, petitioner has been languishing in jail since 28.07.2021 and he has not been named in the FIR, in the opinion of this Court the petitioner deserves to a lenient approach of this court.



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. Sessions Judge IV, Kaimur at Bhabua in Sessions trial no. 23/2022 arising out of Chainpur P.S Case No. 71 of 2021.

(Shailendra Singh, J)

s.hassan/-

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