

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35318 of 2022

Arising Out of PS. Case No.-70 Year-2019 Thana- SAKRI District- Madhubani

Shubham Kumar Singh @ Shibam Singh @ Shubham Singh Son Of Bipin Singh @ Vipin Kumar Singh R/O Village- Narpat Nagar, P.S.- Sakri, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and the learned APP for the State through virtual mode in view of COVID-19.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with Sakri P.S. Case No.70 of 2019 instituted under Section 394 of the IPC.

As per the prosecution story, the accused persons intercepted and deprived him of the motorcycle as also cash amount, mobile and other valuable documents.

Learned counsel for the petitioner submits that only because he has nine criminal cases registered under his belt, he has been made accused in this case. The further submission is that his name has cropped up in the confessional statement of



Anshu Kumar Mandal and was accordingly remanded in this case on 26.07.2021. However, till the filing of the bail application, neither the TI Parade was done nor any thing has been recovered from his conscious possession.

Learned APP on the other hand opposes the bail stating that considering the criminal antecedent that he has, he does not deserve bail.

Taking into account the fact that he has been remanded in this case on 26.07.2021, charge sheet stands submitted, no TI Parade has been done and nothing has been recovered from his conscious possession, this Court is inclined to grant him privilege of bail after framing of the charges. If however, it is found that that any of the statement made in the bail application is false, the bail order shall become infructuous.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sakri P.S. Case No.70 of 2019 to the satisfaction of learned Chief Judicial Magistrate, Madhubani, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of the Trial to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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