

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38066 of 2022

Arising Out of PS. Case No.-153 Year-2022 Thana- PATNA JN RPF/POST District- Patna

SUPAN KUMAR S/O JAI RAM RAI @ JAI LAL RAI Resident of Village-
Chhitnama. P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabha Mishra

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-09-2022 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 G.R.P.
Patna (Rail) P.S. Case No. 153 of 2022 registered for the
offences punishable under Sections 379, 411 of the Indian Penal
Code.

As per prosecution case, mobile of informant was
taken away by unknown person but with the help of police the
accused person was apprehended and disclosed his name as
Supan Kumar (petitioner). On search mobile of informant was
recovered from the pocket of petitioner.

Learned counsel for the petitioner submits that



petitioner is in custody since 15.03.2022. Petitioner bears criminal history of one case of similar nature in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Seizure list does not bear the signature of the petitioner.

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, nature of allegation as well as this aspect of the matter that petitioner is apprehended on spot, **if the trial is not concluded within six months from the date of receipt/production of copy of this order**, petitioner above named shall be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned (Patna Junction) Railway Judicial Magistrate, Patna in connection with G.R.P. Patna (Rail) P.S. Case No. 153 of 2022, 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)

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