

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47115 of 2021

Arising Out of PS. Case No.-242 Year-2020 Thana- SAHAR District- Bhojpur

SURAJ SAH @ DHUPA Son of Sobhanath Sah @ Sobhanath Prasad
Resident of Village- Nanour, P.S.- Sahar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Kanhaiya Kishore (APP)

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-02-2022 The matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's
counsel would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Sahar P.S.
Case No. 242 of 2020 registered under Section 392 of the Indian
Penal Code.

Informant-truck driver has alleged that three
persons have attempted to loot his belongings and the
belongings of his companions in the truck. Seven thousand has



been snatched from the informant and a mobile phone has been snatched from Raju Kumar. The informant and his companions have raised an alarm whereafter villagers have apprehended one of the perpetrators, namely, Anshu who has disclosed the petitioner's name.

Learned counsel for the petitioner submits that other than the statement of co-accused, there is no material to connect the petitioner with the occurrence. There is no recovery of any incriminating material from the petitioner and he has not even been put on T.I. Parade. The chargesheet has already been filed and the investigation is complete. The petitioner is stated to be on bail in Sahar P.S. Case No. 139/2020 pending against him since before. The submission is that petitioner is in custody now since 15.03.2021.

Learned APP has opposed the prayer for bail.

Considering the rival submissions having regard to the fact that there is no recovery from the petitioner and that he has not been put on T.I. Parade though the investigation is complete, this Court is inclined to allow the prayer. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-14th, Ara (Bhojpur) in Sahar P.S. Case No. 242 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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