

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48307 of 2021**

Arising Out of PS. Case No.-416 Year-2020 Thana- CHANDI District- Nalanda

SHASHI KUMAR Son of Arun Sharma @ Arun Kumar Resident of Village -  
Pithiyapar (Kali Asthan), Police station - Nagarnausa, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      10-02-2022                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 392 of the Indian Penal Code to which section 395 of the Indian Penal Code was added subsequently.

As per the prosecution case, six accused persons on three motorcycles on gun point dispossessed the informant of his motorcycle, bag containing the second key of the bank and various other articles as mentioned in the FIR.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. Referring to the order of the learned court below rejecting the application for bail of the petitioner it is submitted that the name of the



petitioner transpired in the confessional statement of co-accused made before police. No incriminating article has been recovered from the petitioner's possession and the petitioner has not been put on T.I. parade inspite of being in custody since 15.10.2020. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case specially the petitioner not having been put on T.I. parade inspite of being in custody for 1 year 3 months and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with S.Tr. no. 257 of 2021 (arising out of Chandi P.S. Case no. 416 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IV, Hilsa, Nalanda.

In view of the trial having commenced in the learned court below, it is directed that the petitioner shall cooperate in the trial and shall be properly represented on each date. In case the learned trial is of opinion that the trial is being delayed due to non cooperation on part of the petitioner, the learned trial court may cancel the bail bond of the petitioner and take him



into custody till conclusion of the trial.

**(Partha Sarthy, J)**

Spd/-

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