

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49000 of 2021**

Arising Out of PS. Case No.-37 Year-2021 Thana- DARPA District- East Champaran

CHHOTU KUMAR S/o LALBABU SAH R/o VILLAGE- SHYAMPUR, P.S-
ADAPUR, DISTRICT-EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 27-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Darpa P.S. Case No. 37 of 2021 instituted for the offence under
Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 18.06.2021, charge-sheet has been
submitted and has antecedent of one case as mentioned in para 3
of the bail application and the allegation is of looting the
motorcycle and bag containing Rs.2,10,000/- of the informant
by two unknown criminals.

Learned counsel for the petitioner further submits that
the FIR was against unknown and the petitioner came to be



arrested in Darpa P.S. Case No. 39 of 2021 and in that case, he was made to confess his participation in the present case. Learned counsel next submits that confession in police custody has no evidentiary value in the eyes of law nor any incriminating article was recovered from possession of the petitioner nor he was put on T.I. Parade.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody and charge-sheet has been submitted in this case, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty-Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Raxaul, East Champaran in connection with Darpa P.S. Case No. 37 of 2021, subject to the condition that one of the bailors shall be the father of the petitioner, namely, Lalbabu Sah and further that the petitioner in between 25th to 30th of every month commencing from February, 2022 will keep marking his attendance in the concerned police station till framing of the charges and, in the event, it is reported by the concerned police station to the learned court below that the petitioner in between the aforesaid dates in any of the month



before framing of the charges has not marked his attendance, the learned court below will forthwith cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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