

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40221 of 2022

Arising Out of PS. Case No.-474 Year-2021 Thana- BYPASS District- Patna

Sunny Kumar, Son of Munna Singh Resident of village- Marchi, P.S.- Bypass
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Bypass P.S. Case No. 474 of 2021, registered
for the alleged offences under Sections 356, 379, 411, 34 of the
Indian Penal Code and Section 37 (c) of the Bihar Prohibition
and Excise Act.

As per prosecution case, the petitioner and the co-
accused riding a motorcycle snatched the mobile phone of the
informant. They were chased and apprehended and were found
in inebriated condition. The mobile phone of the informant was



recovered from the hands of this petitioner.

Learned counsel for the petitioner submits that no occurrence as alleged has ever taken place. There has been an accidental dash with the motorcycle of the informant and the petitioner fell down. Exchange of words took place and the informant falsely blamed this petitioner. Even the production of snatched mobile was made by the informant and it was not produced or recovered from the possession of this petitioner. The charge sheet has been submitted and the petitioner is in custody since 04.12.2021.

Learned A.P.P. opposes the prayer for bail submitting that the petitioner has got criminal history and was apprehended from the spot.

Having regard to the submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Court, Excise, Patna, in connection with Bypass P.S. Case No. 474 of 2021, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :



(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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