

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41318 of 2022

Arising Out of PS. Case No.-323 Year-2021 Thana- BARAUNI District- Begusarai

Shivam Kumar @ Chhotu Son Of Lalan Singh @ Lalan Kumar @ Doman
Singh R/O Village- Bihat, Ibrahimpur Tola, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar, Advocate
		Mr. Amar Kumar Singh, Advocate
For the Opposite Party/s :		Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Barauni P.S. Case No. 323 of 2021 registered
for the alleged offences under Section 392 of the Indian Penal
Code.

As per prosecution case, four unknown miscreants
signaled the informant to stop his Scooty and they were armed
with pistol. When the informant did not stop, they pushed his
Scooty and he fell down and got injured. The miscreants took
away the Scooty, mobile phone and a wallet containing Rs.



4,000/-, Aadhar card, driving license, PAN card and ATM card. The name of the petitioner transpired as an accused during investigation.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case merely on suspicion. He is not named in the F.I.R. and nothing incriminating has been recovered from his conscious possession. The petitioner was named in the F.I.R. in the confessional statement of co-accused Satyam Kumar who is on inimical terms with this petitioner. No Test Identification Parade has been conducted by the police. Nothing substantive came up against the petitioner during investigation to connect him with the present case. Charge sheet has been submitted in this case and the petitioner is in custody since 10.01.2022.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the submission made on behalf of the parties and considering the period of custody of this petitioner along with submission of charge sheet against him, the petitioner above named 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



Chief Judicial Magistrate, Begusarai in connection with Barauni
P.S. Case No. 323 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)

Gautam/-

U		T	
---	--	---	--

