

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41429 of 2022

Arising Out of PS. Case No.-83 Year-2019 Thana- PASRAHA District- Khagaria

SUMIT DAS S/O UMESH DAS Resident of village- Madarpur, P.S.-
Maheshkhunt, District- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-11-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Pasraha P.S. Case No. 83 of 2019, G.R. No. 1970 of 2019
registered for the offences punishable under Sections 392, 411
of the Indian Penal Code.

As per prosecution case, the informant's
motorcycle as well as Rs. 700/- alongwith other articles were
snatched by three miscreants.

Learned counsel for the petitioner submits that
petitioner is in custody since 24.11.2021. Petitioner bears no
criminal antecedent. He further submits that petitioner is not



named in FIR. As per impugned order, the name of the petitioner has been surfaced on the confessional statement of co-accused Kare Ram. There is nothing on record except the confessional statement of co-accused to demonstrate the complicity of the petitioner with the alleged occurrence. Petitioner is absolutely innocent and committed no offence as alleged against him rather he has falsely been implicated in the present case due to vengeance of police. Nothing has been recovered from the possession of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM IVth, Khagaria in connection with Pasraha P.S. Case No. 83 of 2019, G.R. No. 1970 of 2019, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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