

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56069 of 2021**

Arising Out of PS. Case No.-735 Year-2020 Thana- MADHEPURA District- Madhepura

Suman Kumar Son Of Sajjan Kumar Yadav @ Snajiv Kumar Yadav R/O -  
Berba Mathahi, Ward No.07, P.S.- And District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Suman Kumar Jha,Adv

For the Opposite Party/s : Mr.Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      27-01-2022                      Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Madhepura P.S.Case No.735 of 2020 registered for the offence under Section 379 of the Indian Penal Code.

The prosecution case, in short, is that the informant is working as Executive in Ecomexpress Pvt. Ltd. On 24.09.2021, the informant stet out to deliver 39 items for delivery towards Murliganj at around 10.00 A.M. He delivered 18 items valued at Rs.8781/- to various customers. The balance 21 items were valued at Rs.31987/-. At around 6.30 P.M., the informant got down from his vehicle to urinate, when a black car, bearing no registration No.



came and two persons came out of the same. These persons took away the bag of the informant which contained the balance 21 items valued at Rs.31987/-, the collected cash of Rs.8781/- and the mobile phone of the informant and fled away. The informant raised an alarm but with no avail. The informant could neither recognize the car nor the persons who allegedly committed the crime.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. In fact the petitioner has been apprehended in one Gamharia P.S.Case No.162 of 2020 under Section 392 of IPC. He further submits that the police, after investigation, submitted chargesheet against the petitioner in Gamharia P.S.Case No.162 of 2020 in which he stated that the petitioner has confessed himself that he was also involved in the present case. Learned counsel for the petitioner submits that nothing has been recovered from the possession of the petitioner and the petitioner remanded in this case on 29.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing



bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S.Case No.735 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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