

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55238 of 2021

Arising Out of PS. Case No.-53 Year-2021 Thana- KESARIA District- East Champaran

SANTOSH KUMAR Son of Rajendra Ray Resident of Village- Rup Chhapra,
P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-05-2022 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection
with Kesariya Police Station Case No. 53 of 2021,
registered for the offence punishable under Section 392 of
the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that three unknown criminals looted away the
mobile of the informant.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case with
oblique motive. Learned counsel further submits that there
is delay in lodging the First Information Report inasmuch as



the alleged occurrence has taken place on 11.02.2021, but the First Information Report has been lodged on 14.02.2021, after the arrest of the petitioner and recovery of some mobile phones and the fire arms on 12.02.2021, for which, Kesariya Police Station Case No. 51 of 2021 was lodged. He also submits that the petitioner has been remanded in this case on 24.03.2021 and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence. He next submits that similarly situated co-accused persons have already been granted bail by this Court in Cr. Misc. 54449 of 2021 and 56620 of 2021.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the delay in lodging of the First Information Report, the fact that charge sheet has already been submitted and the petitioner is in custody since 24.03.2021 and similarly situated co-accused persons have already been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on bail on furnishing bail bonds of Rs. 20,000/-
(twenty thousand) with two sureties of the like amount each
to the satisfaction of learned Chief Judicial Magistrate, East
Champaran, at Motihari, in connection with Kesariya Police
Station Case No. 53 of 2021.

(Anil Kumar Sinha, J)

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