

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56214 of 2021

Arising Out of PS. Case No.-107 Year-2021 Thana- MITHANPURA District- Muzaffarpur

LURKI @ ADITYA KUMAR @ SONU KUMAR @ SHATRUGHN
CHAUDHARY, S/O Birendra Chaudhary @ Virendra Chaudhary, R/O
Village - Chauhatta Chowk Hajipur, P.S. - Hajipur Nagar, District - Vaishali at
Hajipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-03-2022 Learned counsel for the petitioner undertakes to remove
all the defects as pointed out by Stamp Reporter within two weeks
after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md.
Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular bail in
connection with Mithanpura P.S. Case No. 107 of 2021 registered for
the offences punishable under Sections 323, 307, 356, 379/34 of the
Indian Penal Code. He is in custody since 30.05.2021. The petitioner
has got three criminal antecedents.

Learned counsel for the petitioner submits that as per the
prosecution story, while the informant was on way, the pillion rider
of one motorcycle snatched her golden chain from her neck. The
informant followed the motorcycle rider by raising alarm, the
motorcycle rider turned around due to blockade of road then the



informant tried to stop him but the informant was pushed by the motorcycle riders and tried to flee away but till then many mohalla people assembled there and in course of escaping, the motorcycle fell down and the pillion rider who had snatched the golden chain managed to escape and the person who was driving the vehicle was caught and on query he disclosed his name as Lurki at Aditya Kumar @ Sonu Kumar @ Shatrughan Chaudhary (petitioner) and the escaped person was Vicky Sah @ Hariom Kumar.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in this case. The pillion rider had allegedly snatched the chain of the informant and said boy namely, Vicky Sah @ Hariom Kumar fled away from the spot, this petitioner was allegedly driving the vehicle in question and was arrested. The petitioner has remained in custody since 30.05.2021, investigation against him is complete and his presence may be secured in course of trial.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to the submissions that as per the prosecution story it was the boy who was the pillion rider had snatched the chain of the informant and the said boy namely, Vicky Sah @ Hariom Kumar fled away from the spot, this petitioner was allegedly driving the vehicle in question and was arrested, he has remained in custody since 30.05.2021, investigation against him is



complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IXth, Muzaffarpur in connection with Mithanpura P.S. Case No. 107 of 2021, subject to the condition as laid down under Section 437(3) Cr.P.C.

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 steps 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.

Considering that the petitioner is involved in three other cases of similar nature, this Court directs henceforth, during pendency of the trial of the present case, the petitioner shall mark his attendance once in every two months before the S.H.O. of the concerned police station, namely, P.S.-Hajipur Nagar in the District of Vaishali at Hajipur where his attendance shall be recorded by the S.H.O. of Hajipur Nagar Police Station. The petitioner shall keep on furnishing complete information with regard to his whereabouts during course of trial and default on this account shall lead to an action towards cancellation of bail of the petitioner.



This application stands disposed of.

Let a copy of this order be sent to the Superintendent of Police, Vaishali at Hajipur for appropriate instruction.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

