

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49932 of 2022

Arising Out of PS. Case No.-312 Year-2021 Thana- SHASTRINAGAR District- Patna

SUNNY KUMAR, s/o Raj Kishor Singh Resident of Mohalla- Jhopadpatti,
Rajwansi Nagar, P.S.- Shastri Nagar, District- Patna. Petitioner/s
Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 14-12-2022 Let the defect(s), as pointed out by the office be removed within a period of four weeks from today and a hard copy of the original main petition be filed within the aforesaid period.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Shastri Nagar P.S. Case No. 312 of 2021 registered for the offence punishable under Section 380 of the I.P.C.

It is a case with regard to theft of certain articles amounting to Rs. 10,000/-.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR nor he was put on Test Identification Parade and the police has falsely implicated him in this case. Petitioner is in custody since 04.10.2021.

In the facts and circumstances of the case as also the



period of custody and nature of allegation, the Court is inclined to grant bail to the petitioner. Let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of the ACJM – IV, Patna in connection with Shastri Nagar P.S. Case No. 312 of 2021, subject to the following conditions:

(i) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(iii) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

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(Sunil Dutta Mishra, J)

