

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60498 of 2021

Arising Out of PS. Case No.-182 Year-2021 Thana- CHANDAUTI District- Gaya

SAHBAG @ SEHBAG @ SAHWAJ KUMAR Son of Sunil Kumar @ Sunil Kumar Singh @ Sunil Singh Resident of Village- Kadhariya, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-02-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State in virtual court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Chandauti P.S. Case No. 182 of 2021 registered for the offences punishable under Sections 395, 397 of the IPC.

The FIR of the occurrence of loot is against unknown. It is also alleged in the FIR that during course of loot, informant was assaulted by the miscreants.

Learned counsel for the petitioner submits that



petitioner is not named in the FIR. He further submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that as per allegation one stolen mobile has been recovered from possession of the petitioner but in fact, petitioner has purchased the said mobile from co-accused Rishabh on consideration of Rs. 5500/- Petitioner is in custody since 18.08.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Gaya in connection with Chandauti P.S. Case No. 182 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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)

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