

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59933 of 2021

Arising Out of PS. Case No.-358 Year-2020 Thana- JAHANABAD District- Jehanabad

SURAJ KUMAR Son of Raj Kumar Ram Resident of Mohalla- Thakurbari,
Jehanabad, P.O. P.S. and District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 05-05-2022

Heard learned counsel for the parties.

The petitioner is in custody in connection with Jehanabad Nagar P.S. Case No. 358 of 2020 registered under Section 398 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story as it unfolds in the F.I.R. is that the informant was returning home after closing his jewellery shop and as he reached the Urdu School, Malah Chak; the accused persons stopped his vehicle and demanded his bag. Some more accused persons joined him and one of them pointed pistol upon him while some other accused person also resorted to fire. In the meantime, the police party arrived at the place of occurrence and the accused persons tried to flee away but one of them namely, Rakesh Kumar @ Pintu @ Fauji Kumar was



apprehended at the spot.

The name of the petitioner cropped up during the course of investigation and thus, he came into judicial custody on 01.06.2021 (as stated in paragraph-12 of the bail application).

Learned counsel for the petitioner submits that the charge-sheet has already been submitted in the matter and the accused namely, Rakesh Kumar @ Pintu @ Fauji Kumar, who was apprehended at the spot, has since been granted bail by the Court below, on the instruction by a co-ordinate Bench of this Court in Cr. Misc. No. 6757 of 2022 on 23.03.2022. A copy of the order has been provided for perusal.

Let the same be kept on record.

Taking into account the aforesaid facts as also that the charge sheet has been submitted and he is in judicial custody since 01.06.2021; let the petitioner 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 Chief Judicial Magistrate, Jehanabad in connection with Jehanabad Nagar P.S. Case No. 358 of 2020, subject to the following conditions :-

(i) one of the bailor should be the family member of



the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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