

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61472 of 2021

Arising Out of PS. Case No.-365 Year-2021 Thana- KAHALGAON District- Bhagalpur

Sunil Kumar Sah @ Sallojan, Son of Shyam Sah, Resident of Village- Shiv
Kumari Pahar, P.S.- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandrasekhar Sharma, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 02-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Kahalgaon P.S. Case No. 365 of 2021 registered for the alleged offences under Sections 379 and 461 of the Indian Penal Code.

As per prosecution case, a theft was committed in the shop of the informant and a number of articles worth Rs. 17,000/- were stolen. The name of the petitioner transpired during investigation as one of the accused persons who was involved in the committing theft in the shop of the informant.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He was not named in the FIR and nothing incriminating has been recovered from his possession. Charge-sheet has been submitted in this case and the petitioner is in custody 08.06.2021.

Learned APP opposes the prayer for bail submitting that at the instance of this petitioner, a number of stolen articles have been recovered from the house of the petitioner.

Perused the Records.

Having regard to the submissions made hereinabove and considering the fact that the charge-sheet has been submitted in this case and the petitioner is in custody since 08.06.2021, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Bhagalpur in connection with Kahalgaon P.S. Case No. 365 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) The bail bond of the petitioner will be accepted



only after framing of charge, if not already framed.

(ii) One of the bailors will be the deponent, who has sworn the affidavit.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

