

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51452 of 2022

Arising Out of PS. Case No.-148 Year-2022 Thana- MANJHI District- Saran

KUMAR SAURABH S/o Ram Ishwar Chaudhari R/o village- Neuri Lodipur,
P.S.- Belaganj, District- Gaya Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 09-12-2022 The matter has been taken-up through video conference.

Heard learned counsel for the petitioner and learned A.P.P
for the State.

Let the defect (s), as pointed out by the office, be removed
within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Section 302/34 of the
Indian Penal Code.

Allegation of snatching of mobile and motorcycle from the
possession of the informant's son by the accused persons. It is
further alleged that on protest made by the informant's son, he
was shot dead by the another accused persons who was
apprehended and killed by the mob on 02.05.2022.

Learned Counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.
It is also submitted that earlier the petitioner was accused in



another case under Section 498A and other sections of the IPC instituted by his wife and another case was lodged on 02.05.2022 bearing Kopa P.S. Case No. 74 of 2022. It is further submitted that petitioner is not identified by witnesses as a main assailant in this case and only on the basis of suspicion he has been assaulted by the mob. No incriminating articles have been recovered from the conscious possession of the petitioner. The petitioner is in custody since 01.06.2022, has antecedent of two cases and charge-sheet has been submitted in the case.

Learned A.P.P for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saran in connection with Manjhi P.S. Case No. 148 of 2022, 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

Sankalp/-

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