

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55152 of 2022

Arising Out of PS. Case No.-536 Year-2021 Thana- SARAIYA District- Muzaffarpur

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Bajrang Kumar, S/O Sri Mahesh Mahto, Resident of Village- Bahorkha, P.S.-
Belsar O.P., District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Advocate
For the Opposite Party/s : Mr.Sucheta Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State, through video

conferencing.

The petitioner seeks regular bail in connection with
Saraiya P.S. Case No. 536 of 2021, for the offence punishable
under Section 392 of the Indian Penal Code.

The prosecution case, in brief, is that while the
informant was going to his village boarding on motorcycle
bearing registration No. BR06BU-9200, on the way, two
miscreants overpowered him and snatched his motorcycle on the
point of pistol.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that nothing has been
recovered from the possession of the petitioner. The



Chargesheet has already been submitted. The petitioner is in custody since 21.12.2021, but till date he has not been put on T.I.P. He further submits that one criminal antecedent is against the petitioner and in this regard he has made specific statement in paragraph No.3 of the bail application.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case and the fact the petitioner is not named in the F.I.R. Chargesheet has already been submitted, the petitioner has not been put on T.I.P. There is no allegation of tampering the evidence or influencing the witness and the trial of the petitioner is not likely to be completed in near future.

The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-IV, Muzaffarpur(West) in connection with Saraiya P.S. Case No. 536 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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