

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68595 of 2021

Arising Out of PS. Case No.-517 Year-2020 Thana- PATRAKARNAGAR District- Patna

Shubham Kumar @ Jhamu, aged about-24 years (Male), Son of Amar Lal
Resident of Pathar Ki Maszid, Tekari Road, Khan Mirza Mohalla, P.S.-
Sultanganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmeshwar Vishwakarma, Advocate
For the Opposite Party/s : Mrs. Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 08-08-2022 Heard Mr. Parmeshwar Vishwakarma, learned counsel

appearing on behalf of the petitioner and Mrs. Renuka Ratnakar,

learned APP for the State.

Petitioner, who is in custody since 05.01.2021, seeks
regular bail in connection with Patrakar Nagar P.S. Case No.
517 of 2020 dated 30.08.2020 registered for offences punishable
under Section 394 of the Indian Penal Code.

As per the allegation made in the FIR, four unknown
persons had snatched the chain from the informant and her sister
at the point of pistol.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case. He further submits that petitioner



has been made accused on the basis of his confessional statement while he was remanded in another case and such confessional statement made in police custody has no evidentiary value. He further submits that petitioner is in custody since 05.01.2021. Till date, no T.I.P. has been conducted. Charge-sheet has already been submitted in the present case. On these grounds petitioner seeks to be released on bail.

Learned A.P.P., for the State has vehemently opposed the prayer for grant of bail to the petitioner. He submits that petitioner has criminal antecedent and it would not be in public interest to release the petitioner on bail.

Considering the nature of allegation made in the FIR which is against unknown persons, no. T.I.P. has been conducted till date, petitioner is in custody since 05.01.2021, charge-sheet has already been submitted and there is no likelihood of the trial being concluded in near future, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VIII, Patna in connection with Patrakar Nagar P.S. Case No. 517 of 2020 dated 30.08.2020 subject to the following conditions:



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

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

(iii) 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.

(iv) 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 bond.

(Purnendu Singh, J)

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