

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69962 of 2021

Arising Out of PS. Case No.-875 Year-2020 Thana- SUPAUL District- Supaul

Neeraj Kumar Son of Uttam Lal Kamat Resident of Village- Ekma Rampur
(Ward No. -01), P.S.- Supaul, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-10-2022 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 Session Trial No:- 111 of 2021 arising out of Supaul P.S. Case No. 875 of 2020 registered for the alleged offences under Sections 394 and 412 of the Indian Penal Code.

As per prosecution case, three unknown miscreants overtook the motorcycle of the informant and threatening him on gun point snatched his mobile phone and his motorcycle. The name of the petitioner transpired during investigation as one of the co-accused persons.



Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and he has been falsely implicated in this case merely on suspicion as he has some criminal antecedent. The petitioner was not put to any Test Identification Parade. The co-accused Paplesh Kumar from whom the recovery of motorcycle has been made has been granted bail vide order dated 09.03.2022 passed in Cr. Misc. No. 33630 of 2021. This co-accused is stated to have purchased the motorcycle from another co-accused Shravan Kumar who has also been granted bail vide order dated 22.12.2021 passed in Cr. Misc. No. 49877 of 2021. Charge sheet has been submitted in this case and the petitioner is in custody since 10.02.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that recovery of leg guard and looking glass of the motorcycle has been made from this petitioner along with his share of money. Learned APP further submits that the petitioner is having criminal antecedent of similar nature and he is accused in four such cases.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge sheet against him, 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 Sessions Judge-5th Supaul in connection with Session Trial No- 111 of 2021 arising out of Supaul P.S. Case No. 875 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) 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)

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