

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71111 of 2021

Arising Out of PS. Case No.-426 Year-2021 Thana- DIGHA District- Patna

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SUMAN KUMAR S/o Anandi Rai R/o Mohalla- Ramjichak Gandhi Gali,
P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parashuram Singh
For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-10-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with Digha

P.S. Case No. 426 of 2021 registered for the offences punishable

under Section 392 of the Indian Penal Code.

As per prosecution case, three miscreants snatched

informant's mobile phone, Aadhar Card, driving license and fled

away. .

Learned counsel for the petitioner submits that

petitioner is in custody since 01.09.2021. Petitioner bears two

criminal antecedents. Learned counsel further submits that

petitioner is not named in the F.I.R. During the course of



investigation the petitioner was remanded in this present case from Digha P.S. Case No. 428 of 2021. No T.I.P. has been made till today. Learned counsel for the petitioner further submits that the mobile which is recovered from the possession of the petitioner does not tally with the mobile snatched from the informant.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is not named in the F.I.R., argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Patna in connection with Digha P.S. Case No. 426 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive



dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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