

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1321 of 2022

Arising Out of PS. Case No.-743 Year-2019 Thana- KANTI District- Muzaffarpur

Bhola Kumar, S/o Naresh Bhagat, Resident of Village - Rasulpur Dih, P.S.-
karja, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anjana, Advocate
		Mr. Sanjay Kumar, Advocate
For the Opposite Party/s :		Mr.Navin Kumar Pandey,APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-10-2022 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.

In the present case, the petitioner seeks bail in
connection with Kanti P.S. Case No. 743 of 2019 registered for
the alleged offences under Section 392 of the Indian Penal
Code.

As per prosecution case, the F.I.R. named co-
accused and three unknown miscreants snatched Rs. 54000/-
from the informant and Rs. 65,000/- from his partner at gun
point.

Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from person or possession of the petitioner and his name came up in the confessional statement of co-accused Arun Srivastava. But, the petitioner has no concern with the alleged occurrence or the other co-accused persons. He has been remanded in this case only on the basis of aforesaid confessional statement which has got no value in the eyes of law. Charge sheet has been submitted in this case and the petitioner is in custody since 25.08.2020.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner is a habitual offender and a large number of cases of similar nature are pending against him.

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 Chief Judicial Magistrate-2nd West, Muzaffarpur in connection with Kanti P.S. Case No. 743 of 2019, subject to the conditions mentioned in Section



437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) 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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