

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1256 of 2022

Arising Out of PS. Case No.-28 Year-2021 Thana- MURLIGANJ District- Madhepura

Suman Saurabh, Son of Amar Prasad Yadav, Resident of Village- Rajpur
Sarsandi, P.S.- Gwalpara, District- Madhepura. (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar 1, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, 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 Murliganj P.S. Case No. 28 of 2021 registered
for the alleged offences under Section 392 of the Indian Penal
Code.

As per prosecution case, 3-4 unknown miscreants
surrounded the informant and snatched the motorcycle of the
informant.

The learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. No occurrence as alleged has ever taken place. The



petitioner is not named in the FIR and nothing incriminating has been recovered from his conscious possession. The name of the petitioner came up during investigation in the confessional statement of co-accused Vishal Kumar. During investigation a number of witnesses were examined but not a single witness has supported the prosecution case. The petitioner is in custody since 14.07.2021 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent.

Having regard to the submissions made on behalf of the parties and considering the period of custody of the petitioner along with lack of material against him and the submission of charge-sheet, 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-II, Madhepura in connection with Murliganj P.S. Case No. 28 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and 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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