

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13761 of 2023**

Arising Out of PS. Case No.-810 Year-2020 Thana- SARAIYA District- Muzaffarpur

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SUJEET KUMAR @ SANJIT KUMAR Son of Rajeshwar Ram R/v-
Lakhnauri, P.S.- Deoriya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Narayan, Advocate.

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 22-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Saraiya P.S. Case No. 810 of 2020, registered for the offence
punishable under Section 392 of the Indian Penal Code.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order dated
12.4.2022, passed in Criminal Misc. No. 56190 of 2021, giving
liberty to the petitioner to renew his prayer for bail after six
months from the date of the order, if the trial does not show any
progress.

The allegation, as per the First Information Report, is
that the informant was intercepted by three unknown miscreants



riding on a motorcycle without any number plate and they assaulted the informant by means of butt of the pistol and took away motorcycle, Samsung mobile, purse containing Rs.15,000/-, documents and laptop of the informant.

Learned counsel for the petitioner submits that the petitioner has renewed his prayer for bail, as observed by this Court. He further submits that the petitioner is in custody since 6.2.2020 and the trial has not commenced. He next submits that no looted article has been recovered from the possession of the petitioner and the petitioner has also not been put on Test Identification Parade.

After having heard learned counsel for the parties and taking into consideration the fact that the petitioner is in custody since 6.2.2021, no looted article has been recovered from the conscious possession of the petitioner, the petitioner has not been put on Test Identification Parade and this is the second attempt on behalf of the petitioner for grant of regular bail, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of



learned ACJM IV, West Muzaffarpur, in connection with Saraiya
P.S. Case No. 810 of 2020.

This is subject to the condition that the petitioner shall
present himself before the Court, as and when required and in
the event of failure on his part to appear before the Court on two
consecutive occasions, his bail bond shall be liable to be
cancelled.

(Anil Kumar Sinha, J)

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