

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7715 of 2023

Arising Out of PS. Case No.-218 Year-2020 Thana- BARHIYA District- Lakhisarai

SUMIT KUMAR @ PILLA Son of Late Tanik Singh @ Ramashray Singh
R/o Village - Khutahadih, P.S.- Barahiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-05-2023 Heard Mr. Arjun Prasad, learned counsel for the
petitioner and Mr. Chandra Bhushan Prasad, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Barahiya PS Case No. 218/2020 dated 24.09.2020 registered for
the offence punishable under Sections 395, 412 of the IPC.

3. As per First Information Report, while the
informant was transporting insecticides and fertilizers through
his pickup van, he was intercepted and stopped by six
miscreants riding on *Apache* motorcycle after overtaking the
pickup van of the informant. Two of the accused persons fled
away with the pickup van towards Dariyapur and four of them
kept the informant confined in a primary school and threatened
him to kill. They snatched a purse containing Rs. 6000/-, driving
license, mobile phone etc. After some time, the accused



persons, who had fled away with the pickup van, returned back and handed over the pickup van to the informant. Thereafter, two accused persons sat on the pickup van of the informant, proceeded towards Panch Mahal PS, got down from the pickup van and fled away.

4. Learned counsel for the petitioner submits that from perusal of the FIR, it would be evident that all the accused persons were wearing face mask and the pickup van which was allegedly, snatched has subsequently been returned back to the informant. He further submits that the only allegation which remains that Rs. 6000/- was snatched by them. Petitioner is not named in the FIR and has been made accused on the basis of confessional statement of a co-accused, Madan Singh who has been granted bail by a co-ordinate Bench of this Court in Cr.Misc. No. 36729/2022 *vide* order dated 18.01.2023. One another co-accused, Manish Kumar @ Chunu has also been granted bail in Cr. Misc. No. 13137/2022 *vide* order dated 18.07.2022. The Petitioner is in custody since 17.07.2022.

5. Regards being had to the submissions made by the parties, taking into consideration the material on record and the fact that petitioner is not named in the FIR, his name has transpired on the basis of confessional statement of co-accused



who has been granted bail by a co-ordinate Bench of this Court, he is in custody since 17.07.2022 and the charge-sheet has been submitted, I am inclined to grant regular bail to the petitioner subject to the condition that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

6. Accordingly, let the petitioner, SUMIT KUMAR @ PILLA 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, Lakhisarai in connection with Barahiya PS Case No. 218/2020.

(Anil Kumar Sinha, J)

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