

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13875 of 2023

Arising Out of PS. Case No.-50 Year-2018 Thana- BARABAR TOURIST District- Jehanabad

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Sujeet Kumar @ Tanak S/O Mithilesh Yadav Resident of Village- Mahewa,
P.S.- Makhdumpur District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha

For the Opposite Party/s : Ms. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 29-05-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Barabar
(Tourism) (Bishunganj) P. S. Case No. 50 of 2018,
registered for the offences punishable under Sections 341,
323, 379 and 34 of the Indian Penal Code.

The prosecution case as emerges from the FIR is
that when the informant and his brother-in-law was coming
to his village after closing the jewellery shop, the petitioner
and his associates snatched his golden chain, silver bracelet,
purse containing Rs. 4,000/- and some other articles.

Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is not named in the F.I.R. and his name transpires in the confessional statement of one of the co-accused. He also submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that Test Identification Parade has not yet been conducted.

He further submits that the petitioner has been languishing in jail since 24.01.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in nine other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in



the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Jehanabad, in connection with Barabar (Tourism) (Bishunganj) P. S. Case No. 50 of 2018 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that



the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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