

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20268 of 2023

Arising Out of PS. Case No.-164 Year-2018 Thana- MAKHDUMPUR District- Jehanabad

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Sujeet Kumar @ Tanak, Gender-Male, Age-35 years, S/o Mithalesh Yadav
Resident of Village -Mahewa, P.S. -Makhdumpur, Dist -Jehanabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Makhdumpur P.S. Case No. 164 of 2018 dated 25.05.2018,
instituted for the offence punishable under Section 392 of the
Indian Penal Code.

3. As per the prosecution case, on 25.05.2018 at 10:00
pm, when the informant was returning home from Gaya then
three miscreants intercepted and assaulted him and snatched his
motorcycle, mobile phone, Rs. 18,000/- cash along with ATM
Card and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. During the course of investigation, co-accused Brajesh



Paswan and Vikash Kumar have disclosed the name of the petitioner. Nothing has been recovered from the conscious possession of the petitioner. Till date, no ***Test Identification Parade (T.I.P.)*** has been made. Lastly, it has been submitted that the petitioner is in custody since 02.08.2021, charge-sheet has been submitted in the case and he has 12 criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-III, Jehanabad in Makhdumpur P.S. Case No. 164 of 2018, subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



(3) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(4) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

Gaurav Kumar/-

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