

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18008 of 2023

Arising Out of PS. Case No.-663 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Saket Kumar @ Anurag @ Naga S/O Raj Narayan Singh R/O Village-
Adalpur, P.S- Hajipur Sadar, District Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 43 of 2023 arising out of Hajipur Sadar P.S. Case No. 663 of 2021 dated 20.07.2021, instituted for the offences punishable under Sections 392 of the Indian Penal Code but charge-sheet submitted under Sections 395, 397 and 412 of the Indian Penal Code.

3. Prayer of the petitioner for bail was earlier rejected by this Court *vide* order dated 18.08.2022, passed in Cr. Misc. No. 8601 of 2022.

4. Allegation is of snatching of motorcycle, Cash worth Rs. 1,27,200/- (One Lakh Twenty Seven Thousand Two



Hundred), one tab, bio-metric device from the informant on the point of pistol by two miscreants.

5. Learned counsel for the petitioner submits that the petitioner is innocent he has falsely been implicated in this case. It is submitted that nothing has been recovered from the conscious possession of the petitioner and the seizure list shows “*Japti Soochi Ka Sthan:- Saa.-Adalpur, Thana Sadar Hajipur, Zila Vaishali*. It is submitted that similarly situated person, namely, ***Sonu Kumar @ Sonu @ Kapil Son of Satya Narayan Singh @ Narayan Singh*** has been granted bail *vide order dated 28.06.2023* passed in ***Cr. Misc. No. 25117 of 2023***. It is further submitted that other co-accused persons have already been granted bail by different co-ordinate Benches of this High Court on different dates respectively (***Rakesh Kumar @ Dabal Zero in Cr. Misc. No. 70357 of 2022 vide order dated 16.03.2023 and Jyotish Thakur in Cr. Misc. No. 70932 of 2022 vide order dated 24.03.2023***). Lastly, it has been submitted that the petitioner is in custody since 01.10.2021 has four criminal cases against him and charge-sheet has been submitted in the case.

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



7. 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 Additional District and Sessions Judge – XI, Vaishali at Hajipur in Sessions Trail No. 43 of 2023 arising out of Hajipur Sadar P.S. Case No. 663 of 2021, subject to the following conditions:-

i. 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.

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

iii. 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.

iv. 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)

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