

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18188 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- BHAGWANPUR District- Begusarai

Shivam Kumar @ Pikku, Son Of Late Lalan Singh, Resident Of Village -
Madhurapur, P.S. - Teghra, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bhagwanpur P.S. Case No. 187 of 2022 registered for the alleged offences under Section 392 of the Indian Penal Code.

3. As per prosecution case, the informant and his acquaintance were robbed by three miscreants who snatched mobile phone and rupees one lakh eight thousand cash from the acquaintance of the informant. The name of the petitioner surfaced during investigation as one of the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person



or possession of the petitioner. The name of the petitioner came up in the confessional statement of co-accused Md. Sameer, who has been granted bail by a Co-ordinate Bench of this Court vide order dated 03.05.2023 passed in Cr. Misc. No. 9486 of 2023. The petitioner was not put to any Test Identification Parade. Petitioner is in custody since 06.10.2022 and charge-sheet has been submitted. Petitioner has got criminal history but he is on bail in that case.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstances and submissions made on the behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering grant of bail to similarly placed co-accused person coupled with the period of custody of the petitioner and submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai/concerned court in connection with Bhagwanpur P.S. Case No. 187 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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