

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20224 of 2022

Arising Out of PS. Case No.-28 Year-2021 Thana- KHODAWANDPUR District- Begusarai

SANNI KUMAR, Son of Naktu Paswan @ Ravindra Paswan, Resident of
Village - Khanjhapur, P.s.- Cheria Bariarpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Maharaj, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

2. The petitioner seeks bail in connection with
Khodawandpur P.S. Case No. 28 of 2021 registered for the offence
punishable under Section 392 of the Indian Penal Code.

3. The prosecution case alleges that four unknown
criminals have intercepted the informant and looted his motorcycle
and Rs.750/- (Seven hundred and fifty rupees).

4. Learned counsel for the petitioner submits that the
F.I.R. is against unknown persons. On statement of co-accused Ram
Sudhir Kumar in Khodawandpur P.S. Case No. 29 of 2021 regarding
theft of motorcycle, the petitioner has been implicated in the case
from where he has been remanded in the instant case. Other than
statement of co-accused, there is no material to connect the petitioner
with the present case. The petitioner's implication has led to no
recovery from the petitioner or at his instance. The petitioner has not



been put on identification parade and he is in custody in this case since 01.11.2021. It is further submitted that co-accused Ram Sudhir Kumar, the person in whose confessional statement the petitioner's name has surfaced, has been allowed bail in *Cr. Misc. No. 60279 of 2021*.

5. Learned APP for the State has opposed the prayer for bail. It is submitted that the petitioner has antecedent in Khodawandpur P. S. Case No. 29 of 2021.

6. Considering the rival submissions, period of custody, the fact that investigation is complete and claim based on parity, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

7. Prayer for bail of the petitioner is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Manjhaul, Begusarai, in connection with Khodawandpur P.S. Case No. 28 of 2021, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

9. This Court would expect that the petitioner's counsel



would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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