

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26076 of 2023

Arising Out of PS. Case No.-762 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

SUJEET KUMAR @ THAPACHI Son of Basueo Rai @ Vasudeo Ray R/V-
Chaksakra, P.S- Hajipur Sadar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Dilip Kumar No. 1

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Hajipur Sadar P.S. Case No. 762 of 2020 dated 18.11.2020 registered for the offences punishable u/s 392 of the Indian Penal Code.

As per the prosecution case, when the informant was at his jewellery shop on 18.11.2020 at 7:15 pm, four miscreants had arrived there on a motorcycle and looted the ornaments from the shop of the informant on the point of pistol.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Rajnandan Kumar @ Chhotu @ Hantar. No. T.I.P. has been conducted by the prosecution. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench *vide* order dated 02.01.2023 passed in Cr. Misc. No. 6884 of 2022. The petitioner is also accused in 25 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 29.01.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 762 of 2020, with condition/s:-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

2. If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

The application stands allowed.

(Chandra Prakash Singh, J)

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