

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30026 of 2023

Arising Out of PS. Case No.-463 Year-2022 Thana- SHASTRINAGAR District- Patna

SANTOSH KUMAR @ SANTOSH KUMAR SONI S/O LATE MURARI PRASAD R/O Mohalla- Shahganj, P.S. AND Distt.- Aurangabad, At present R/O H/O- Suresh Rai, Mohalla- Khankah, Istapur, Phulwari Sharif, Behind Phulwari Police Station, P.S- Phulwari Sharif, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Verma

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-06-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Shastri Nagar P.S. Case No. 463 of 2022 registered for the offences punishable under Sections 356, 382 of the Indian Penal Code.

As per prosecution case, two unknown miscreants boarding on motorcycle snatched the chain of informant's wife weighing 13 bhar amounting to Rs. 60,000/- Hence, FIR has been registered against two unknown miscreants.

Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has been surfaced upon the confessional statement of co-accused Md. Jubair @ Aryan. Petitioner is in custody since 28.09.2022 in



connection with present case. Petitioner bears criminal antecedent of 29 cases. He further submits that name of petitioner has been surfaced in all the cases in a routine manner which have been mentioned in para-3 of the bail petition upon the confessional statement of co-accused Md. Jubair @ Aryan. He further submits that no T.I.P. has been conducted by the police till today. Nothing stolen article has been recovered from possession of the petitioner. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner keeping in view criminal antecedent of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Patna in



connection with Shastri Nagar P.S. Case No. 463 of 2022,
subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case.

(v) Petitioner shall not leave the territorial jurisdiction of the concerned trial court without appropriate permission of the court concerned.

(Alok Kumar Pandey, J)

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