

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34290 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- BIHARIGANJ District- Madhepura

BAJRANG KUMAR Son of Late Gholat Sahni Resident of Village -
Bihariganj, P.S.- Bihariganj Ward No.- 10, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bam Bahadur Jha

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

The petitioner seeks bail in connection with Bihariganj P.S. Case No. 25 of 2023 registered for the offences punishable under Sections 461 and 379 of the Indian Penal Code.

As per prosecution case, one of the miscreants who happened to be the petitioner, apprehended on the spot and two other persons succeeded in fleeing away from the place of occurrence. It is further alleged that grocery items worth Rs. 20,000/- as well as Rs. 5000/- in cash were stolen by the miscreants from the shop of the informant.

Learned counsel for the petitioner submits that petitioner is in custody since 29.01.2023 and bears criminal



antecedent of one case which is not similar to the present case. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Petitioner is quite innocent and has committed no offence as alleged against him in FIR and he has falsely been implicated in the present case. Nothing has been recovered from the possession of the petitioner.

The learned A.P.P. for the State opposes the prayer for bail 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 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Uda Kishanganj in connection with Bihariganj P.S. Case No. 25 of 2023, 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.

(Alok Kumar Pandey, J)

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