

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28770 of 2022

Arising Out of PS. Case No.-159 Year-2020 Thana- JALE District- Darbhanga

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SUDHAKAR BHARDWAJ @ SUDHAKAR KUMAR BHARDWAJ @
SUDHAKAR KUMAR S/o Late Mukesh Thakur Resident of Village-
Brahamopur (West), Ward No.05, P.S.- Kamtaul, District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Kumar Rajdeep, Advocate Mr. Arvind Kumar, Advocate Ms. Preety Kunwar, Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 394 and 307 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner is in custody since 19.07.2021 and have antecedent of nine cases, further out of nine cases the petitioner has been granted bail in seven cases and this perhaps explains the reason why he has been implicated in the present case. It is submitted that it is because of his antecedent that he got implicated. It is next submitted that informant alleges that two unknown persons



looted Rs. 12,47,500/- from an ATM Kiosk on gunpoint and the miscreants were accompanied by a third accused person who came from behind and all the three fled on the motorcycle and even fired by fleeing causing injury to Sahgir and Manoj Thakur.

Learned senior counsel for the petitioner submits that FIR is against unknown, it is next submitted that petitioner was arrested in an another case where he was made to confess about his participation in the present occurrence, it is thus submitted that the reason for implication of the petitioner in the present case is his confessional statement in an another case in police custody which does not have any evidentiary value, the learned senior counsel next submits that petitioner has been granted bail in the case in which he was arrested and was made to confess about his participation in the present case. It is next submitted that even charges have been framed and the petitioner will not abscond and will co-operate in the investigation.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the submission made by the learned counsel for the petitioner, the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees



Twenty-Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jalley P.S. Case No. 159 of 2020.

Further, if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner, the learned trial court shall forthwith cancel his bail bonds after recording reasons and shall take all coercive steps to ensure that petitioner is behind bars.

(Satyavrat Verma, J)

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