

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33729 of 2023

Arising Out of PS. Case No.-342 Year-2020 Thana- BIBHUTIPUR District- Samastipur

Chhotu Kumar S/O Tuntun Singh R/O Village Hasanpur, Nagar Panchayat
Teghra, Ward no. 1, P.S Teghra, District-Begusarai, Bihar

... .. Petitioner

Versus

The State of Bihar

.. ... Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Madhav Kumar, Advocate
For the State	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Bibhutipur P.S. Case No. 342 of 2020 for the offence
registered under Section 392 of the Indian Penal Code.

As per prosecution case, four unknown miscreants
barged into the shop with their faces covered and looted 55
grams of gold jewellery and five kg of silver jewellery from
the informant's shop and fled on two motorcycles.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. There is no material against the petitioner and no



recovery was made from the conscious possession of the petitioner. He further submits that similarly situated co-accused persons, namely, Shubham Kumar, Ankur Kumar and Santosh Kumar have already been granted regular bail vide order dated 20.12.2021, 23.06.2022 and 31.08.2021 passed in Cr. Misc. No. 23712 of 2021, 49705 of 2021 and 24771 of 2021 respectively. Petitioner is in jail custody since 08.04.2021 having five criminal antecedents in which he is on bail. Charge-sheet has already been filed against the petitioner and there is no chance of absconding of the petitioner or tampering with the evidence.

Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM II Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 342 of 2020, subject to the following conditions:

(i) The petitioner will cooperate in conclusion of the



trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(Sunil Dutta Mishra, J)

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