

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35029 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- KISHUNPUR District- Supaul

Yashwant Kumar @ Amar Kumar Son Of Sunil Ram Resident Of Village-
Sohagpur, Ward No. 4 Ps- Kishanpur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jata Shankar Jha, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Kishanpur P.S. Case No. 52 of 2023 registered on 07.03.2023 for the alleged offences under Sections 379, 411 / 34 of the Indian Penal Code.

3. As per prosecution case, four unknown miscreants came and took away the mobile phone of the informant from his e-rickshaw. The name of the petitioner surfaced during investigation as one of the miscreants.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The petitioner has been named in this case on the basis of statement of co-accused which has got no sanctity. Recovery of



one mobile phone has been shown from this petitioner, but that is not the stolen property of this case. Further, the stolen property was recovered from co-accused Raja Kumar. The petitioner is in custody since 09.03.2023 and charge sheet has been submitted.

5. Learned counsel for the APP opposes the prayer for bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery of any stolen article has been shown from the petitioner and further considering his period of custody and the submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul/court concerned in connection with Kishanpur P.S. Case No. 52 of 2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and



every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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