

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37154 of 2023

Arising Out of PS. Case No.-303 Year-2022 Thana- CHHATAPUR District- Supaul

Sintu Kumar Son Of Balkrishna Mehta Resident Of Village- Jadia, Police
Station- Jadia, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-06-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Chhatapur (Rajeshwari OP) P.S. Case No. 303 of 2022,
registered for the offences punishable under Section 392 of
the Indian Penal Code and later on section 411 of the Indian
Penal Code was also subsequently added.

The prosecution as emerging from the FIR is that
on 09.08.2022 when the informant was returning to his
home after closing his medical shop, the petitioner and his
associates hit his motorcycle due to which he fell down. It is
further alleged that they looted a sum of Rs. 40,500/-



(Rupees Forty Thousand and Five Hundred Only), mobile and cash etc on the point of pistol.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not named in the FIR and his name has transpired only in the confessional statement of co-accused. He also submits that no TIP has been conducted till date.

He further submits that the petitioner has been languishing in jail since 08.09.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in six other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-



named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. concerned Trial Court in connection with Chhatapur (Rajeshwari OP) P.S. Case No. 303 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that



the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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