

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40800 of 2023

Arising Out of PS. Case No.-154 Year-2022 Thana- TEKARI District- Gaya

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Sankaj Kumar S/O Nageshwar Singh @ Nageshwar Prasad R/O Village-
Bajitpur, P.S- Tekari, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Tekari (Panchanpur) P.S.
Case No. 154 of 2022 dated 17.03.2022 registered for the
offence punishable u/s 395 of the Indian Penal Code.

As per the prosecution case, six to seven unknown
miscreants surrounded the auto rickshaw of the informant and
looted his auto, mobile phone and Rs. 1300/-.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up during the confessional statement before the police. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 31.01.2023 passed in Cr. Misc. No. 61322 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.01.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Tekari (Panchanpur) P.S. Case No. 154 of 2022, with the condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.



The application stands allowed.

(Chandra Prakash Singh, J)

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