

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48894 of 2023

Arising Out of PS. Case No.-6 Year-2023 Thana- NTPC District- Patna

Sumit Kumar @ Jelar Yadav Son Of Late Hare Ram Yadav @ Late Hari Ram Prasad Resident Of Village- Chaperatar, P.S. Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-08-2023 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.

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

3. The petitioner has preferred this application for grant of regular bail in connection with N.T.P.C P.S. Case No. 06 of 2023 dated 13.01.2023 registered for the offence punishable under Sections 379, 448, 337 and 353 read with 34 of the Indian Penal Code.

4. As per the prosecution case, 3-4 unknown miscreants were trying to steal aluminum sheet weighing 50 Kg from the unit of NTPC, Barh.

5. 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. No T.I. Parade has been conducted by the prosecution. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused. The petitioner is accused in 10 other criminal cases out of which he is on bail in 6 other cases as stated in para 3 of the bail petition. The petitioner is in custody since 14.03.2023.

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

7. 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, Barh, Patna in connection with N.T.P.C P.S. Case No. 06 of 2023, with the condition :-

(i). 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.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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