

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49701 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- PATNA RAIL P.S. District- Patna

Sajan Kumar @ Sajan Sharma Son Of Shiv Nandan Sharma R/O-Nimra, P.S.-
Kadirganj, Distt.-patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
07.03.2023, in connection with G.R.P. Patna (Junction) P.S. Case
No. 142 of 2023, F.I.R. dated 07.03.2023 registered for the
offences punishable under Section 414/34 of the Indian Penal
Code.

3. Allegation against the petitioner is that two theft
mobile phones have been recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that as per
allegation in the F.I.R. two theft mobile phones have been



recovered from the possession of the petitioner but the same has not been put on test identification parade by the prosecution and till date no one has claimed that the said mobiles is the theft mobiles. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 07.03.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Patna Junction, Patna in connection with G.R.P. Patna (Junction) P.S. Case No. 142 of 2023, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.



(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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