

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52858 of 2023

Arising Out of PS. Case No.-648 Year-2022 Thana- BAKHTIYARPUR District- Patna

SUMIT KUMAR @ JELAR YADAV Son of Late Hare Ram Yadav @ Late Hari Ram Prasad Resident of village - Chaperatar, P.s. - Pandarak, Distt. - 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. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-08-2023 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 S.T. No. 647 of 2023 arising out of Bakhtiyarpur P.S. Case No. 648 of 2022 dated 24.12.2022 registered for the offences punishable u/s 395 of the Indian Penal Code.

4. As per the prosecution case, four unknown miscreants boarded on two motorcycles intercepted the tractor of the informant and they snatched Rs. 1200 and a mobile phone



thereafter the co-accused persons fled away with the said tractor.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has surfaced during the course of investigation. Nothing has been recovered from the conscious possession of the petitioner. No TIP was conducted by the prosecution. The petitioner has ten other criminal cases and he is on bail in six criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 20.01.2023.

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 S.T. No. 647 of 2023 arising out of Bakhtiyarpur P.S. Case No. 648 of 2022, with the following condition/s:-

(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 cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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