

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56223 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- SHYAMPUR BHATHA District- Sheohar

Subhash Kumar, aged about 20 years, male, Son of Sanjay Ray R/o Village -
Lahi, P.S.- Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Adv.

For the Opposite Party/s : Mr.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 12-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (*for brevity APP*) appearing for the
State of Bihar

The petitioner seeks bail in connection with Shyampur
Bhataha PS Case No. 113 of 2022, registered for the offence
punishable under Sections 392/34 of the Indian Penal Code (*for
brevity 'IPC'*).

The informant's brother was discharging his duties at the
Petrol Pump as a Nozzle Man when it is alleged that four persons
have come at the retail outlet and looted some cash and two mobile
sets.

Learned counsel for the petitioner submits that on statement of
wife of co-accused, that the petitioner is in possession of the looted
mobile, he has been implicated. It is submitted that the petitioner's
implication is without any basis. Similarly situated co-accused,
namely, Deepak Kumar @ Nirahua, whose wife has stated about the
petitioner, has been allowed bail in Criminal Miscellaneous No.
57815 of 2022. The petitioner is in custody since 14 /06/ 2022 though
he has no antecedents. The investigation is complete.



The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-1, Sheohar, in connection with Shyampur Bhataha PS Case No. 113 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

U		T	
---	--	---	--

