

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 60306 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- DIGHWARA District- Saran

SAURABH KUMAR @ SAURABH SINGH Son of Akhilesh Kumar Singh
@ Nalini Kumar Singh R/V- Bheldi, P.S- Bheld, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Nalin Kumar, Advocate

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

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 24-01-2023

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 Dighwara Police Station (for brevity, **PS**) Case No 33 of 2022 registered for the offence punishable under Sections 379, 420, 406 of Indian Penal Code.

The informant is said to be carrying on the business of Videography Service. The services were booked by a co-accused (Rohit). When they were going to discharge professional obligation, on the way, they have been looted of their belongings including Rs 6,000/- cash by co-accused Rohit, one unknown person who boarded the vehicle on the way and two other persons who were on Apache motorcycle.

Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report. On account of his antecedents (seven), as per disclosure made in paragraph 3 of the petition, he has been dragged in this case also. The petitioner is stated to be in custody in this case since 16.06.2022. There is no recovery of any incriminating article from the petitioner and he has



also not been put on Test Identification Parade.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, period of custody, manner of implication and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate II, Saran at Chapra in Dighwara PS Case No 33 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)

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