

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63313 of 2022

Arising Out of PS. Case No.-128 Year-2015 Thana- MINAPUR District- Muzaffarpur

SANJEET KUMAR Son of Jaiprakash Sah R/v- Olipur, P.S.- Runisaidpur,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Raju Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 395 and 397 of the Indian
Penal Code.

As per prosecution story, in brief, it is a case of
assaulting the informant and snatching Rs. 5,000/- from the
pocket of the informant, two bhar gold chain worth Rs. 60,000/-
and a Nokia Mobile..

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case. Name of the petitioner has been
transpired on the basis of the disclosure made by co-accused,
namely, Md. Akhtar and Raju Kumar. Further submits that
nothing has been recovered from conscious possession or the



house of the petitioner and till date no TIP has been conducted by the prosecution. He further submits that similarly situated co-accused persons namely Sudhir Rai and another have been granted bail by a Coordinate Bench of this Court vide order dated 27.07.2015 in Cr. Misc. No. 26728 of 2015, another co-accused person namely Md.Akhtar @ Md. Aktar has been granted bail by a Coordinate Bench of this Court vide order dated 06.10.2015 in Cr. Misc. No. 37068 of 2015 as well as another co-accused namely Raju Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 27.08.2015 in Cr. Misc. No. 36044 of 2015 and co-accused, namely, Md. Tamane Alam @ Md. Tammane Alam @ Noor Alam has been granted bail by this Court vide order dated 09.02.2023 passed in Cr. Misc. No.57572 of 2022 respectively. Further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 16.06.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 learned court below where the case is pending in connection with Minapur P.S. Case No. 128 of 2015, with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, 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 antecedent, 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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