

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1406 of 2023

Arising Out of PS. Case No.-199 Year-2021 Thana- RASULPUR District- Saran

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SUJIT KUMAR KUSHWAHA S/o Ram Udar Prasad R/v- Saryugpar, P.S.-
Daudapur, District- Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-04-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Rasulpur P.S. Case No.199 of 2021 dated 20.09.2021 registered
for the offence punishable under Section 392 of the Indian
Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the FIR has been registered
against unknown persons and during the course of investigation
the name of this petitioner surfaced in the statement of co-
accused Ghanshyam Kumar Paswan @ Chhotan Paswan, who
has been granted bail by a co-ordinate Bench of this Court vide
order passed in Cr. Misc. No.7989 of 2022 and other co-accused
person namely Guddu Kumar @ Guddu Yadav whose name also



surfaced in the statement of the said co-accused has also been granted bail by a co-ordinate Bench of this Court vide order passed Cr. Misc. No.74064 of 2022 and after the petitioner's arrest in the present matter nothing incriminating to connect him to the alleged crime was recovered and even the petitioner had no connection with the motorcycle which was allegedly used in the alleged crime and no any part of looted money was recovered from the possession of the petitioner and the petitioner has been languishing in jail since 31.08.2022 and against him the investigation has been completed and he is a young person. Further submission is that against the petitioner there are criminal antecedents of two cases but he is on bail in the said cases.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the privilege of bail having been granted to two co-accused persons mentioned-above, one of them disclosed the name of this petitioner in his statement before the police as per above submission and after the petitioner's arrest the police did not recover any incriminating material connecting the petitioner to the alleged crime from his possession and investigation has been



completed against the petitioner, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner 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 concerned Court in connection with Rasulpur P.S. Case No.199 of 2021.

(Shailendra Singh, J)

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