

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80437 of 2023

Arising Out of PS. Case No.-287 Year-2022 Thana- MAHNAR District- Vaishali

Sanju Kumar S/O Sri Kallu Yadav @ Dhananjay Kumar R/O Village-
Kumhrar, Ward No. 5, P.S- Agamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate
For the State : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Mahnar P.S. Case No. 287 of 2022 instituted for the offence
under Section 392 of the Indian Penal Code and 27 of the Arms
Act.

3. According to prosecution case, the informant was
doing his duty on Krity Petrol pump and three miscreants came
on one motorcycle and took petrol of Rs. 200/-. On demanding
the money by the nozzle man, one person opened fire and other
snatched Rs. 15,000/- from the nozzle man and fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is remanded in this case on 24-11-2022.



Petitioner bears seven criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has been surfaced in this case due to his own confessional statement taken in another case, that is, Mahnar P.S. Case No. 290 of 2022. Petitioner is not named in the FIR. It is also submitted that no T.I. Parade has been done. Other similarly situated co-accused has been granted bail by Co-ordinate Bench of this Court vide order dated 03-08-2023, passed in Cr. Misc. No. 28032 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahnar P.S. Case No. 287 of 2022 subject to the following conditions:



(I) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) 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.

(iii) And further condition that the court below shall verify the criminal antecedents 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

