

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20875 of 2024

Arising Out of PS. Case No.-827 Year-2023 Thana- SIKARPUR District- West Champaran

Aakash Kumar Chaudhary, S/O Manoj Chaudhary, R/O Village- Tarharwa,
P.S- Shikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sheikhpur P.S. Case No. 827/2023 lodged on 20.10.2023 under
Sections 356, 379 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against two named accused persons, including the
present petitioner who has been identified by the public at large
against whom there is an allegation of snatching the mobile
phone of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Neither
any recovery has been made from the possession of the
petitioner nor he has been put on the Test Identification Parade.



The informant himself has not identified the petitioner rather the petitioner has been identified by the other persons. The petitioner has been roped in the present case at the instance of the police since his antecedent is not clean. The petitioner is accused in five more criminal cases, but in all the cases, he has been granted bail. The petitioner is in custody since 08.12.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that in the rejection order, it has been mentioned that the petitioner is accused in six more criminal cases apart from the present case.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge, if not framed**, bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of CJM, Bettiah, West Champaran, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

7. It is made clear that the lower court shall accept the bail bonds of the petitioner only after verifying the criminal antecedent of the petitioner. If the petitioner has been found accused in five more criminal cases, then he shall be released



immediately but if he has been found accused in six more cases
apart from the present case, then he shall not be released on bail.

(Dr. Anshuman, J)

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