

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23417 of 2024

Arising Out of PS. Case No.-691 Year-2021 Thana- BAGHA District- West Champaran

Sujit Kumar Sharma @ Sujit Sharma son of Ramshish Sharma R/o-
Naryanpur Ps- Patherwa Dist- Kushinagar, U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-03-2024 Heard Mr.Avinash Kumar Pandey, learned counsel for
the petitioner and Mr.Abhay Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
17.12.2023 in connection with Bagaha (Patkhauli) P.S. Case
No. 691 of 2021, F.I.R. dated 31.12.2021 registered for the
offence punishable under Section 379 of IPC.

3. The FIR of the occurrence of theft is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. The
FIR was lodged against unknown person. The name of the
petitioner has been transpired during investigation on the basis
of the confessional statement of co-accused persons, namely,
Suraj Kumar, Mumtaza and Zibran and the recovery has been



made from the aforesaid co-accused persons and except the confessional statement of co-accused persons, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries three more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. 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 A.C.J.M.-1st, Bagaha, West Champaran in connection with Bagaha (Patkhauli) P.S. Case No. 691 of 2021, with the following conditions:-

(I) One of the bailors should be the father of the petitioner, namely, Ramashish Sharma.

(II) 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.



(III) 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.

(IV) 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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