

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41058 of 2024

Arising Out of PS. Case No.-492 Year-2020 Thana- SAHAYAK NAGAR District- Katihar

Shankar Singh Son Of Brijnandan Singh Village- Hawaii Adda, Ps- Sahayak,
Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-06-2024 Heard learned counsel appearing on behalf of

the parties.

2. The petitioner seeks bail in connection with

Katihar Town (Sahayak) P.S. Case No. 492 of 2020

registered for the offence under Sections 447, 341, 323,

354(A), 356, 379/34 of the I.P.C.

3. The petitioner is named in the F.I.R. and is

in custody since 20.03.2024.

4. The allegation against the petitioner is to

outrage the modesty of the informant along with other

co-accused persons.

5. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is falsely implicated in the present case. It is submitted that the co-accused namely Deepak Kumar and Rakesh Yadav with same set of allegation was granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc No. 32214 of 2022 vide order dated 22.11.2022, where under as per condition of said order they attended police station and while attending so they disclosed the name of this petitioner through their confessional statement. It is further submitted that the petitioner was not put on TIP and no incriminating material as alleged to be stolen was recovered from the possession of the petitioner. While concluding the argument, it is submitted that petitioner is also alleged in two more criminal case on which he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.



7. In view of the factual submissions and by taking note of the fact that nothing incriminating was recovered from the petitioner so as to connect *prima-facie* with the present occurrence, coupled with fact that charge-sheet has already been submitted and petitioner is in custody since 20.03.2024, let the petitioner, above named, is directed to be released on bail in connection with Katihar Town (Sahayak) P.S. Case No. 492 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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