

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43348 of 2024**

Arising Out of PS. Case No.-36 Year-2024 Thana- SHEIKHOPUR SARAI District-  
Sheikhpura

- 
1. CHHOTU KUMAR @ AMISH KUMAR SON OF MATHURA PASWAN  
VILLAGE- PANCHI, P.S.- SHEIKHOPURSARAI @  
SHEKHOPURSARAI, DISTT.- SHEIKHPURA
  2. SUNNY KUMAR SON OF BABLU MAHATO VILLAGE- PANCHI, P.S.-  
SHEIKHOPURSARAI @ SHEKHOPURSARAI, DISTT.- SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr.Roop Kishan, Adv.  
For the Opposite Party/s : Mr.Dinesh Singh, APP

---

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

3      06-09-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. Vide order dated 05.07.2024, the anticipatory bail  
application of the petitioner no. 1 Chhotu Kumar @ Amish  
Kumar was dismissed as withdrawn.

3. The petitioner is apprehending his arrest in a case in  
connection with Sheikhopur Sarai P.S. Case No. 36 of 2024  
dated 12.03.2024 registered for the offences punishable under  
Sections 406, 419, 420, 467, 468, 471 and 120B/34 of the I.P.C.

4. As per the prosecution case, the police personnel  
apprehended 13 persons and others fled away from the place of



occurrence. The apprehended persons disclosed that the petitioner and the other accused persons are involved in providing loan to the people and also used to cheat them.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has surfaced in this case merely on suspicion. It is further submitted that no incriminating article has been recovered from possession of the petitioner. Learned counsel has further submitted that the petitioner has no concern with the alleged recovery as mentioned in the F.I.R. and he is not the member of any gang or associates of the alleged incident. The co-accused person has already been granted regular bail by this court vide order dated 09.05.2024 passed in Cr. Misc. No. 33567 of 2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner no. 2 Sunny Kumar, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like



amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhopur Sarai P.S. Case No. 36 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with the following conditions :-

- (i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.*
- (ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.*

8. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

