

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43044 of 2024

Arising Out of PS. Case No.-274 Year-2022 Thana- CHANDI District- Bhojpur

Saroj Kumar @ Sanoj Kumar @ Suyiya son of Uma Shankar Singh Village-
Salempur Ps- Chandi Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chandi P.S. Case No. 274 of 2022, lodged on 28.10.2022 under
Section 392 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against four unknown accused persons with an allegation of
committing loot of a motorcycle and a mobile from the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the name of the petitioner has been figured in
this case only by virtue of confessional statement of the co-
accused. Counsel further submits that nothing incriminating has



been recovered from the petitioner's possession nor he was put on TIP. Counsel submits that the criminal antecedent of the petitioner is not clean and there is one criminal case pending against him in which he is on bail. The petitioner is in custody since 21.03.2024 in the present case. Counsel also submits that other co-accused persons have been granted bail by this Court *vide* order dated 17.02.2024 passed in Cr. Misc. No.5320 of 2024 as well as by the Co-ordinate Bench of this Court *vide* order dated 11.05.2023 passed in Cr. Misc. No. 11535 of 2023. Counsel further submits that the offence in which the case has been filed is of magisterial triable.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner's name has been figured in this case by virtue of confessional statement of the co-accused and recovery of motorcycle and other goods subject to robbery has been recovered.

6. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at



Ara in connection with Chandi P.S. Case No. 274 of 2022,
subject to the conditions as laid down U/s 437(3) Cr.P.C.

7. However, the petitioner shall be granted bail only
on being satisfied by the Trial Court that the petitioner is not
absconding in any of the cases pending against him whose
details are as follows:-

(I)- Udawantnagar P.S. Case No. 543 of 2022.

(Dr. Anshuman, J)

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