

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53191 of 2024

Arising Out of PS. Case No.-446 Year-2021 Thana- PATRAKARNAGAR District- Patna

Suraj Kumar S/o Jago Sahni R/o vill - Karra, P.S - Ghoswari (Mokama), Distt.
- Patna, at present Road No. 13, Sorangpur, Near Didarganj Check Post, P.S. -
Ram Krishna Nagar, District. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Patrakar Nagar P.S. Case No. 446 of 2021
registered for the offence punishable under Section 392 of the
Indian Penal Code.

3. Based upon the written report, the prosecution
alleges that while the informant was sitting in the basement of
his apartment area, in the meantime, one miscreant came on a
motorcycle and after snatching his golden chain, succeeded in
fleeing away.

4. Learned counsel for the petitioner contended that
the FIR has been instituted against the security guard of the



apartment and one unknown person. During the course of investigation, it has come that on the disclosure made by this petitioner, the alleged snatched golden chain was recovered from the possession of co-accused person. Be that as it may, the crime in question, is triable by Magistrate and now the petitioner has been incarcerated since 30.09.2021.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and referring to para-3 of the bail application submitted that the petitioner carrying nine criminal antecedent of identical nature over his head.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the crime in question is triable by Magistrate, coupled with the period of custody; the factum of completion of investigation and the submission of charge-sheet; as well as the mandate of the law that mere criminal antecedent of the person cannot be a ground to keep him behind the custody for an indefinite period, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Patna in connection with Patrakar Nagar P.S. Case No. 446 of 2021, subject to the condition that one of the



bailors will be the close relatives of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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