

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55741 of 2024

Arising Out of PS. Case No.-378 Year-2021 Thana- DIGHA District- Patna

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Kallu Chaudhary @ Kallu Kumar @ Jitendra Kumar S/o Raju Chaudhary @
Raj Kumar Chaudhary R/o Mohalla - Rajiv Nagar Road No. 19, P.S. - Rajiv
Nagar, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 04-10-2024 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Digha P.S. Case No. 378 of 2021, lodged on 13.07.2021, under
Sections 356 and 379 of the I.P.C.

3. As per the prosecution, the F.I.R. has been lodged
against two unknown accused persons against whom there is
allegation of snatching.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the petitioner is not named in the FIR. The name of
the petitioner has figured in this case by virtue of confessional
statement of the co-accused. Counsel submits that nothing



incriminating has been recovered from the possession of the petitioner and he was not put on Test Identification Parade till date. Counsel submits that the antecedent of the petitioner is not clean, there are in total three criminal cases pending against the petitioner and he is in custody since 21.08.2021. Counsel further submits that though the case has been lodged under Sections 356 and 379 of the I.P.C. but supplementary charge-sheet has been filed under Section 392 which is a magisterial triable case. Counsel also submits that the co-accused has already been granted bail by this Court vide order dated 23.09.2022 passed in Cr. Misc. No. 38149 of 2022.

5. Learned Counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed as well as on being satisfied by the trial court that the petitioner is not absconding in any of the cases which are pending against him whose details are mentioned below**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Patna in connection with Digha P.S. Case No. 378 of



2021, subject to the following conditions as laid down under
Section 437(3) of Cr.P.C.

7. Pending cases against the petitioner are as follows:-

- (i) Rajiv Nagar P.S. Case No. 265 of 2015
- (ii) Rajiv Nagar P.S. Case No. 297 of 2021
- (iii) S. Tr. No. 1245 of 2022 arising out of Digha P.S.
Case No. 324 of 2021

Aman Kumar/-

(Dr. Anshuman, J.)

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