

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61015 of 2024

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

Chhotu Kumar @ Amish Kumar Son of Mathura Paswan Resident of Village
- Panchi, P.S. - Sheikhopursarai @ Shekhopursarai, District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

ORAL ORDER

2 05-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sheikhopur Sarai P.S. Case No. 36 of 2024 dated 12.03.2024 registered for the offences punishable u/ss 406, 419, 420, 467, 468, 471 and 120B read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the police personnel apprehended 13 co-accused persons and others fled away from the place of occurrence and mobile phones of different brand and cash amounts were recovered from possession of the co-accused persons. The apprehended persons disclosed that they along with other accused persons including the petitioner are



involved in providing loan to the people and also used to cheat them.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation against the petitioner is general and omnibus in nature. The petitioner has no concern with the alleged recovery rather the recovery has been made from the conscious possession of the co-accused persons and he is not member of any gang or associates with the alleged incident. No incriminating material has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by this court *vide* order dated 15.05.2024 passed in Cr. Misc. No. 34874 of 2024. The petitioner has clean criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.06.2024.

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

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner as well as the period of custody, the petitioner above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two



sureties of the like amount each to the satisfaction of learned Court concerned, Sheikhpura in connection with Sheikhopur Sarai P.S. Case No. 36 of 2024, with a condition/s:-

(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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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