

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70747 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- SIMRI District- Darbhanga

Sanjeev Kumar @ Sanjeev Kumar Sahu S/o- Radhe Shyam Sahu Village-.
Ek dara, P.S- Khutouna, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gulfeshan, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Simri P.S. Case No. 163 of 2024 registered for the offences
punishable under Sections 310(4), 310(5), 317(5) of Bhartiya
Nyaya Sanhita.

3. As per prosecution case, informant received
secret information that petitioner and others are said to have
made planning to commit dacoity. It is further alleged that
petitioner and two others were apprehended on the spot whereas
some of them managed to escape. Petitioner is said to have
caught with one Vivo mobile.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has not committed any offence



as alleged in the first information report. Only one Vivo mobile has been recovered from the petitioner and the said mobile belongs to the petitioner and except the said mobile, no incriminating material has been recovered from his possession. Petitioner is not in any way connected with the alleged occurrence. Petitioner has been falsely implicated in this case due to high handedness of police. Petitioner has criminal antecedent of one case. Learned counsel orally submits that petitioner is on bail in that case. Petitioner is in custody since 15.07.2024.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in connection with Simri P.S. Case No. 163 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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