

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76471 of 2024

Arising Out of PS. Case No.-120 Year-2021 Thana- SANJHOLI District- Rohtas

Chhotu Kumar @ Saroj Kumar S/O Late Dhanjee Singh R/O Village-
Masona, P.S- Sanjhauli, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh

For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sanjhauli P.S. Case No. 120/2021 registered for the offences
punishable under Section 392 of the Indian Penal Code and 27
of the Arms Act.

3. As per prosecution case, informant alongwith his
wife was going to Bhopatpur and in the way three miscreants
snatched golden chain of informant's wife and fled away by
firing in the air.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR and his name has been
surfaced in this case on the basis of confessional statement of
co-accused Chandan Kumar. Except confessional statement of



co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. The petitioner has been remanded in this case from Natwar P.S. Case No.154/2022 on 05.12.2022 and since then he is in custody. The petitioner bears criminal antecedent 06 cases and in all cases he is on bail except Karakat P.S. Case No.35/2022. He further submits that the petitioner has been implicated in series of cases one after another in a routine manner. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. No TIP has been conducted uptill now. No incriminating article has been recovered from the conscious possession of the petitioner. Co-accused Chandan Kumar upon whose confession the name of the petitioner transpired in this case, has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.76228/2023 and the case of present petitioner stands on better footing.

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

6. Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution



evidence and argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bikramganj, District-Rohtas in connection with Sanjhauli P.S. Case No. 120/2021, 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 tampers 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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