

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83482 of 2023

Arising Out of PS. Case No.-16 Year-2023 Thana- NAUGACHIA District- Bhagalpur

CHHOTU KUMAR @ NIRDOSH KUMAR SON OF BANSHRAJ SINGH
R/O VILLAGE- HARDAYAL NAGAR BANNI, P.S.- MAHESH KHUNT,
DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. SUMIT KUMAR SON OF JAY KUMAR SENIOR BRANCH MANAGER
BANK OF INDIA , NAUGACHIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 10-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Naugachia P.S. Case No. 16 of 2023 lodged on 24.01.2023
under Section 395 of the Indian Penal Code.

3. As per the prosecution case, F.I.R. has been lodged
against five unknown persons against whom there is an
allegation of dacoity of about Rs. 9,27,740/-

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that petitioner is not named in the F.I.R. He also
submits that police has recovered Rs. 9,150/- from the



possession of the petitioner. Counsel further submits that the criminal antecedent of the petitioner is clean. The petitioner is in custody since 19.02.2023. He further submits that other co-accused persons have been granted bail by the other coordinate Bench of this Court vide order dated 08.01.2024 passed in Cr. Misc. No. 84360 of 2023, vide order dated 22.02.2024 passed in Cr. Misc. No. 11125 of 2024 and order dated 08.08.2023 passed in Cr. Misc. No. 49629 of 2023.

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

6. Learned Counsel for the Bank vehemently opposes the prayer for bail and submits that petitioner has been identified in the CCTV Footage that he came in jacket and in the said jacket USPA was written.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named by granted bail *after framing of charge, if the charge is not framed yet* and on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1st Naugachiya in connection with Naugachia P.S. Case No. 16 of 2023 subject to the condition laid down under Section 437(3) of the Cr.P.C. as well



as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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