

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86364 of 2023

Arising Out of PS. Case No.-524 Year-2019 Thana- BANKA District- Banka

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Sunny Kumar Choudhary @ Ujjawal Kumar Choudhary @ Sanni Choudhary
@ Ujjawal Choudhary Son Of Shashi Bhushan Choudhary R/O Village-
Asarganj, Siyadih, P.S.- Bath, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ankit Raj, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Banka (Barahat) P.S. Case No.524 of 2019 registered under
Section 392 of the I.P.C.

3. The allegation, as per the F.I.R., is that while the
informant was going on the motorcycle of his customer, he was
intercepted by four miscreants, who snatched the motorcycle,
cash of Rs.19,000/-, two mobiles, driving licence etc. from the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He is not named in the F.I.R. but on the confessional



statement of co-accused, namely, Amrit Kumar Choudhary @ Shubham Kumar Choudhary, the name of the petitioner surfaced in this case. Nothing incriminating article has been recovered from conscious possession of the petitioner. There is no eye witness to the occurrence and no T.I.P. has been conducted by the police. The petitioner was remanded in this case on 31.08.2023 and since then he is in custody. The petitioner has three criminal antecedents in which he is on bail. It is further submitted that similarly situated co-accused person, namely, Amrit Kumar Choudhary @ Shubham Kumar Choudhary has been granted bail by a coordinate bench of this Court vide order dated 15.04.2022 passed in Cr.Misc.No.51615 of 2021.

5. Learned A.P.P. opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, submissions of the parties and the period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Banka in connection with Banka (Barahat) P.S. Case No.524 of 2019 subject to further conditions that:

(i) One of the bailors shall be own/close member of



the family of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(Sunil Dutta Mishra, J)

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