

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1539 of 2024

Arising Out of PS. Case No.-88 Year-2023 Thana- BATHNAHA District- Sitamarhi

Shibu Kumar @ Shibu Kapar S/o - Jiwachh Kapar R/o Vill.- Purnahiya,P.S.-
Sahiyara, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bathnaha P.S. Case No. 88 of 2023 registered for the offence
under Section 392/34 of the Indian Penal Code and under
Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner's name
has come during investigation for having looted the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case and no recovery of any looted article has been made from
the possession of the petitioner.

5. It is also submitted by the learned counsel for the
petitioner that the petitioner is in jail since 29.05.2023 and other



co-accused namely *Sujit Kumar* has been granted bail by a Co-ordiante Bench of this Court vide order dated 30.11.2023 passed in Cr. Misc. No. 75194 of 2023.

6. Learned APP for the State vehemently opposed the prayer of the petitioner for grant of bail.

7. Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sitamarhi in connection with Bathnaha P.S. Case No. 88 of 2023.

9. As a condition of this order, the petitioner, after being released on bail is directed to mark his attendance at Sahiyara Police Station on first and third Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

10. The Superintendent of Police, Sitamarhi is directed to submit a report, as to whether looted mobile phones have been recovered or not and if the mobile phones have not been recovered then what steps have been taken by the police for recovery of the same.



11. List this case after four weeks along with the
report of the Superintendent of Police, Sitamarhi.

(Sandeep Kumar, J)

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