

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14119 of 2025

Arising Out of PS. Case No.-746 Year-2022 Thana- SONEPUR District- Saran

Shesh Kumar @ Sheshnath Kumar @ Sheshnath Singh S/O Late Janki Singh
R/O Sonama)Sonawan), P.S- Diddarganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

8 16-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case instituted for the offence punishable under Section 392 of the Indian Penal Code in which charge sheet has been submitted u/s 395 of the I.P.C.

3. As per the prosecution case, the informant has alleged that three unknown persons had snatched away the bag of the informant, which contained gold and subsequently they fled away.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he was not named in the FIR. Learned counsel has further submitted that during investigation one Sunny Sahani was arrested who disclosed the name of the petitioner. Learned counsel has next



submitted that nothing has been recovered from the conscious possession of the petitioner. No test identification parade has been done till date. Further submission is that similarly situated co-accused Chhote Ranjan @ Chhotelal @ Guletiya and Sunny Kumar @ Sunny Sahani have been granted bail by a co-ordinate Bench of this Court by order dated 11.10.2023 and 02.04.2024 passed in Cr. Misc. No.64727 of 2023 and Cr. Misc. No.21328 of 2024 respectively. Lastly, it has been submitted that though the petitioner has antecedent of four cases but he is on bail in all the four cases and is in judicial custody in the present case since 04.09.2024.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and taking into account the period of custody, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra, in Sonapur PS Case No.746 of 2022, subject to the conditions

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.



(iii). In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(v). In view of the antecedent of the petitioner, the petitioner is directed to appear before the SSP/SP of concerned district within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before



the court concerned.

7. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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