

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72315 of 2024

Arising Out of PS. Case No.-198 Year-2022 Thana- SARAI RANJAN District- Samastipur

Devendra Kumar Sharma @ Nanki Son of Chhotelal Sharma Village-
Jitwarpur Kumhra Ps- Sarairanjan Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Adv.

For the Opposite Party/s : Mrs.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-02-2025 Heard Learned Counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sarairanjan P.S. Case No.198 of 2022, lodged under Section 392
of the I.P.C.

3. Learned Counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 07.03.2024 passed in Cr. Misc. No.82654 of 2023 in
which liberty was granted to him to renew his prayer for bail 6
months after framing of charge.

4. Learned counsel for the petitioner further submits
that the charge has already been framed in this case on
25.01.2023, but no further progress took place in the trial.

5. Counsel further submit that status report has been



called for. From the report, it transpires that summons were issued to the witnesses and the antecedent of the petitioner is not clean. There are 6 criminal cases pending against him.

6. Learned counsel for the State opposes the prayer for bail and submits that the recovery of theft articles has been made from the possession of the petitioner and this aspect may be taken into consideration.

7. It transpires to this Court that the petitioner has been made accused in section 392 of the I.P.C. and charge has also been framed under the same section, which is magisterial triable in nature, but trial has not commenced even after framing of charge.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of A.C.J.M.-III, Samastipur in connection with Sarairanjan P.S. Case No.198 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with condition that the petitioner shall appear on each and every date before the Trial Court for evidence of the prosecution and upon failure of the same, his bond shall be cancelled.



9. It is directed to the Superintendent of Police, Samastipur to instruct the S.H.O. and I.O. of this case to produce the prosecution witnesses in this case for the evidence within 3 months counting from the date of production of this order.

10. Registry is directed to communicate this order forthwith to the Superintendent of Police, Samastipur. Registry is further directed to hand over a copy of this order to learned A.P.P. who shall communicate this order to the Superintendent of Police, Samastipur at his level.

11. With these observations, the bail application stands allowed.

(Dr. Anshuman, J.)

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