

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68207 of 2024**

Arising Out of PS. Case No.-226 Year-2019 Thana- DIGHWARA District- Saran

Sanjay Kumar @ Sanjeet Kumar S/o Saree Rai R/o vill - Diwantok, P.S. -  
Ganga Bridge, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh No. I

For the Opposite Party/s : Mr.Lalan Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

6      17-01-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with  
Dighwara P.S. Case No. 226 of 2019 registered for the offences  
punishable under Section 395 of the Indian Penal Code.

3. As per prosecution case, five unknown persons  
came with a Scorpio vehicle and overtook the pickup van of  
informant which was loaded with Nerolack paint. At the point of  
pistol, accused persons snatched Rs. 700/- in cash, mobile and key  
of the pickup van from the informant. It is alleged that accused  
persons made to sit the informant in the Scorpio vehicle and  
started threatening and assaulting him. Further, after covering  
some distance the accused persons threw the informant from the  
said vehicle.

4. Learned counsel for the petitioner submits that



petitioner is not named in F.I.R. He further submits that the name of the petitioner has been surfaced in this case upon the confessional statement of the co-accused Vinod Kumar, as mentioned in impugned order itself. Except confessional statement of the said co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. No TIP has been conducted up till now and no incriminating article has been recovered from the possession of the petitioner. He further submits that co-accused Vinod Kumar @ Vinod Kr. @ Vinod Rai has already been granted bail by the Coordinate Bench of this Court vide Cr. Misc. 13692 of 2020. Petitioner is in custody since 11.07.2024 and he bears criminal antecedent of one case in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that co-accused Vivek Kumar @ Khesari Kumar has already been granted bail by this Court vide Cr. Misc. No. 45814 of 2022 and the case of present petitioner stands on similar footing. Hence, he also deserves bail.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, co-accused has already been granted bail,



charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named 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 learned Chief Judicial Magistrate, Saran in connection with Dighwara P.S. Case No. 226 of 2019, subject to following conditions:-

- (i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.
- (ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.
- (iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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