

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21068 of 2015

Arising Out of PS.Case No. -301 Year- 2012 Thana -SHERGHATI District- GAYA

1. Chandan Sao @ Chandan Thathera son of Ashok Sao @ Ashok Thathera
resident of Mohalla Bichali Kuwan Gandhi Tola Rajgir, P.s. - Rajgir, Dist -
Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad

For the Opposite Party/s : Mr. Prem Kr.Jha(App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 16-12-2015

Heard learned counsel for the petitioner and the State.

Perused the report dated 25th November 2015 of
SDJM, Sherghati.

In the present case, petitioner is seeking bail in
Sherghati P.S.Case No. 301 of 2012 registered u/s 379 IPC.

Allegation has been made that one Babban Yadav
kept his truck standing at Kothwa in the night on 24th October
2012 and went to his house and on the next day, he found his truck
loaded with articles missing and on search it could not be traced
out. Police during investigation found that the petitioner is
engaged in the commission of crime. When Police started
following the accused persons, they started fleeing and also fired

from pistol on them, which was recovered from their possession and the stolen truck was also recovered. Petitioner is in jail since 5th March 2013. Petitioner has already been convicted in Mufassil P.S.Case No. 358 of 2012 (S.T.No.47 of 2014).

Looking to the facts and circumstances of the case, petitioner Chandan Sao @ Chandan Thathera is directed to be enlarged 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 SDJM, Sherghati, Gaya in connection with Sherghati P.S.Case No. 301 of 2012 subject to the conditions:

subject to the conditions that :

(i) one of the bailors will be a close relative of the petitioner, namely, father, mother, wife or son.

(ii) if the petitioner would be found involved in similar type of case in future, prosecution will be at liberty to file application for cancellation of bail and the court below will pass necessary order, including cancellation of bail bonds, and

(iii) the petitioner would co-operate and if the petitioner will fail to co-operate in the proceeding of the court and will remain absent for two consecutive dates without reasonable

explanation, the court will pass appropriate order,
including cancellation of bail bonds.

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(Shivaji Pandey, J)

