

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 27379 of 2020**

Arising Out of PS. Case No.-506 Year-2019 Thana- CHIRAIYA District- East Champaran

ANSHU SINGH S/o Shiv Chandra Singh Resident of Village-Ganga Pipar,
Police Station-Chiraiya, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr Lalan Kumar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 20-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner.

Mr Lalan Kumar, APP is appearing as it is submitted that the brief has been allotted to him by the Office of Advocate General.

The petitioner seeks bail in Chiraiya Police Station (for brevity, PS) Case No 506 of 2019 instituted for the offence



punishable under Section 395 of Indian Penal Code.

It is alleged that five persons have stopped the informant and looted his bag containing Rs 1,93,000/-.

Petitioner's counsel submits that co-accused Dhiraj Gupta has allegedly pointed pistol upon the informant where after co-accused Jitendra Patel has snatched the bag, as per allegation. Petitioner's name has been dragged in this case based on alleged confessional statements of co-accused Jitendra Patel @ Jitendra Kumar Patel and Shivam Kumar. Shivam Kumar has since been allowed bail by this Court in Cr Misc No 18330 of 2020. The petitioner is on bail in the other five cases, pending against him, as per details mentioned in paragraph 3 of the petition. He is in custody in connection with this case since 05.01.2020, though confessional statements do not reveal any overt act on part of the petitioner in the occurrence.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East



Champanan at Motihari in Chiraiya PS Case No 506 of 2019
subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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