

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13165 of 2021**

Arising Out of PS. Case No.-157 Year-2018 Thana- KARAHGAR District- Rohtas

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KALLU KHAN @ FIROJ KHAN S/o Farid Khan R/o village- Kaethi, P.S.-
Shiv Sagar, Distt.- Rohtas at Sasaram

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-07-2021 In view of sudden resurgence of COVID-19 infection

there is limited functioning of the High Court and therefore the

matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the
learned APP for the State.

This Court would expect that the petitioner's Counsel
would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in Kargahar PS Case No. 157 of
2018, registered under Section 394 of the Indian Penal Code.

It is alleged that three unknown persons hit the
informant from behind thereafter he fell down. The motorcycle
has been taken away.



Learned counsel for the petitioner submits that based on suspicion petitioner has been implicated in this case and while in custody he implicated himself in his confessional statement, which is not maintainable. Petitioner is accused in four cases from before as per detail in para 3. He is on bail in the said cases. There is no recovery from possession of the petitioner neither he has been put on T.I.P. He is in custody since 31.07.2018.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Rohtas at Sasaram in Kargahar PS Case No. 157 of 2018, 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.

(Madhuresh Prasad, J)

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