

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17603 of 2021**

Arising Out of PS. Case No.-3 Year-2020 Thana- DHAKA District- East Champaran

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ASHUTOSH KUMAR @ ASHUTOSH SINGH @ BHOLI SINGH Son of
Late Tara Chand Singh Resident of Village- Mathurapur, P.s.- Fenhara,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 07-07-2021 Heard Mr. Umesh Chandra Verma, learned counsel

for the petitioner and Mr. Jharkhandi Upadhyay, learned counsel

appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Dhaka
(Pachpakari) P.S. Case No. 3 of 2020 registered for the offence
under Section 392 of the I.P.C.

Petitioner renews his prayer for bail inasmuch as the
prayer for bail of the petitioner was earlier rejected by this court
in Cr. Misc. No. 24352 of 2020 with liberty to the petitioner to
renew his prayer for bail afresh after three months.

The prosecution story is that three unknown persons
entered into rice shop of the informant and on gun point looted
a sum of Rs. 50,000/- and mobile phone of the informant. The



name of the petitioner has transpired on the basis of the confessional statement of the co-accused Satyam Chaudhary @ Serjan.

Learned counsel for the petitioner submits that petitioner is in custody since 27/1/2020 and the co-accused / Satyam Chaudhary @ Serjan has been granted bail by a Co-ordinate Bench of this court in Cr. Misc. No. 5069 of 2021. Learned counsel next submits that charge sheet has already been submitted and trial is not likely to be concluded in near future due to pandemic.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact this is second attempt for bail on behalf of the petitioner, he is in custody since 27/1/2020 and similarly situated co-accused has been granted bail by this court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikrahana at Dhaka East Champaran in connection with Dhaka (Pachpakari) P.S. Case No. 3 of 2020 on the following



condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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