

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.955 of 2021

Arising Out of PS. Case No.-247 Year-2020 Thana- NAUTAN District- West Champaran

SANTOSH KUMAR, Son of Sri Birendra Sah, Resident of Village-
Jagdishpur, P.S.- Jagdishpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 401, 413, 414 of the Indian Penal Code.

Prosecution case in brief is that the informant is S.I. of Nautan P.S., he received confidential information that 3-4 persons are present in Mangalpur Kala School with a motorcycle having without number and they have been making plan for committing any incident and on the basis of such



information the informant alongwith police party reached there. But on seeing the police party they started fleeing away leaving their motorcycle. They were chased and all four persons were caught and from the said place one motorcycle was also recovered. On search one plier, one knife, one screw driver and one motorcycle were recovered from the possession of the accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case only on suspicion. Recovery of screw driver from the possession of the petitioner and there is no recovery of any incriminating articles from the conscious possession of the petitioner. The petitioner is languishing in judicial custody since 19.07.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. Charge sheet has been submitted in this case.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in



connection with Nautan P.S. Case No. 247/2020 to the satisfaction of the learned Judicial Magistrate, 1st Class, Bettiah, West Champaran; subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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