

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9216 of 2022

Arising Out of PS. Case No.-109 Year-2021 Thana- JANDAHA District- Vaishali

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Golu Kumar Son of Dilip Patel @ Dilip Mahto Resident of Village- Laxmi Narayanpur, Police Station- Tisiauta in the District of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-06-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Jandaha P.S. Case No. 109 of 2021 registered for the offence under Section 392 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and is in custody since 28.07.2021.

The allegation against the petitioner is to commit robbery alongwith other co-accused persons upon the informant and while committing so, taken away one Maruti Spresso bearing Registration No. BR 31 AN 4951 and other valuables.

Learned counsel appearing on behalf of the petitioner submitted that the name of the petitioner surfaced in the present



case on the basis of self confession when the petitioner was arrested in Mahua P.S. Case No. 310 of 2021. It has further been submitted that the looted car has not been recovered from the conscious possession of the petitioner. It has also been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State fairly conceded that name of the petitioner surfaced on the basis of self confession. Learned APP further submitted to impose some regulatory conditions in view of the criminal antecedent of the petitioner as mentioned in paragraph no.3 of the bail petition.

Considering the facts and circumstances as mentioned above, as recovery has not been made from the conscious possession of the petitioner coupled with the fact that chargesheet in this case has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Jandaha P.S. Case No. 109 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the following conditions:

“(i) That accused/petitioner shall



not involve in the similar nature of offence till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(iii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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