

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9577 of 2022

Arising Out of PS. Case No.-371 Year-2017 Thana- BIHAR District- Nalanda

Md. Chhotu Son of Late Md. Kamal R/O Village- Chainpura, P.S.- Bihar,
District- Nalanda (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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 Bihar P.S.
Case No. 371 of 2017 corresponding to G.R. No. 2622 of 2017
registered for the offence under Sections 379 and 411 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 05.02.2021.

The allegation against the petitioner is that he was
found in possession of the laptop of the informant.

Learned counsel appearing on behalf of the petitioner
submitted that there is inordinate and unexplained delay of more



than one month to lodged the present F.I.R. from the date of occurrence. It has further 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 about delay in lodging of the present F.I.R.. Learned APP further requested to impose some regulatory conditions in view of the criminal antecedents of the accused/petitioner.

Considering the facts and circumstances as mentioned above and in view of unexplained delay of about one month to lodge the present F.I.R., let the petitioner, above named, is directed to be released on bail in connection with Bihar P.S. Case No. 371 of 2017 corresponding to G.R. No. 2622 of 2017 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, Nalanda at Biharsharif, 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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