

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12979 of 2022

Arising Out of PS. Case No.-36 Year-2003 Thana- NAUHATTA District- Rohtas

SANJHAWAN CHERO Son of Late Hakan Chero, Resident of Village-
Yadunathpur, P.S.- Yadunathpur, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 10-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Nauhatta P.S. Case No. 36 of 2003 lodged under Sections 147,
148, 149, 302, 353, 114, 506, 379, 120(B), 216A and 427 of the
Indian Penal Code read with Section 27 of the Arms Act,
Section 3/4 of Explosive Substance Act and Sections 17/18 of
C.L.A. Act.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that this is a case of 2003 and petitioner has taken into
custody on 03.09.2021. He further submits that from the entire
material available in this case, there is nothing adverse found
against him, save and except the confessional statement of the
accused himself. Learned counsel for the petitioner further

submits that there are two cases pending against the petitioner. He is on bail, in one case, about the second one he is not in a position to intimate the court as the pairvikar has also no knowledge about its progress.

Learned counsel for the petitioner further submits that petitioner is in custody since 03.09.2021 and charge sheet has already been filed in this case. On the point of his criminal antecedent, learned counsel for the petitioner further submits that he is ready to fulfill all the conditions whatsoever it may be imposed by the court. Learned counsel for the petitioner further submits that all other named accused persons of this case has already been granted bail, in this regard he has annexed annexure-2 series in this application.

Learned counsel for the State submits that after going through the case diary it has been found that save and except the confessional statement, there is nothing more available in the case diary against the petitioner.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Dehri-

on-Sone, Rohtas in connection with Nauhatta P.S. Case No. 36 of 2003, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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