

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15358 of 2022

Arising Out of PS. Case No.-397 Year-2018 Thana- HILSA District- Nalanda

Jay Prakash @ J. P. Son of Satendra Prasad Resident of village - Khajurbanna,
P.S. Hilsa, District - Nalanda at Biharsharif

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Shama Sinha, Adv. with Mr. Saurav Kr. Suman, Adv. and Mr. Prem Ranjan, Adv.
For the Opposite Party/s :		Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 30-11-2022 Let the defect(s), 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
Hilsa P.S. Case No. 397 of 2018 lodged under Sections 302/394
of the I.P.C.

As per the prosecution case, this case has been lodged
under Sections 302/394 of the I.P.C. against unknown accused
persons.

Learned counsel for the petitioner submits that the
name of the petitioner has figured in this case by virtue of the
confessional statement of the co-accused, namely, Srikant

Kumar and Rahul Kumar. Counsel submits that petitioner is in custody since 01.05.2019. There is one criminal case pending against him in which he is on bail. Counsel further submits that all the 2 persons who have disclosed the name of the petitioner have been granted bail by the Co-ordinate Bench of this Court vide order dated 17.08.2019 and 25.11.2019 passed in Cr. Misc No. 50184 of 2019 and Cr. Misc. No. 65653 of 2019 respectively.

Learned counsel for the State opposes the prayer for bail but admits that the 2 other co-accused persons have been granted bail by the Co-ordinate Bench of this Court.

In the present facts and circumstances of this 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 Additional Sessions Judge IInd Hilsa, District Nalanda in connection with Hilsa P.S. Case No. 397 of 2018, 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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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