

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18094 of 2022

Arising Out of PS. Case No.-457 Year-2020 Thana- KANKARBAG District- Patna

=====

Sagar Kumar @ Tachwa @ Screen Touch S/o Late Ashok Prasad Yadav R/o
Mohalla- Ashok Nagar, Road No. 1, P.S.- Kankarbagh, District- Patna (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Shiv Kumar Prabhakar, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 16-08-2022 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
Kankarbagh P.S. Case No. 457 of 2020 lodged under Sections
147, 148, 149, 341, 342, 323, 324, 307, 302 of Indian Penal
Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that present
petitioner is not named in the FIR. He submits that his name has
figured in this case by the confessional statement of an accused.
He further submits that petitioner is in custody since 13.09.2021
having clean antecedent. Learned counsel for the petitioner
submits that nothing was recovered from his possession nor

there is any specific allegation against the petitioner.

Learned counsel for the State opposes the prayer for bail and submits that in different paragraphs of the case diary it has come that the petitioner came in contact with the named accused of this case in jail. He also submits that by virtue of the statements made in case diary it appears to him that the statement made in paragraph 3 of the bail application that petitioner has no criminal antecedent is false statement.

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 Court of Chief Judicial Magistrate, Patna in connection with Kankarbagh P.S. Case No. 457 of 2020, 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.

A liberty is hereby granted to the prosecution as well as to the Court that in case it shall come in the knowledge of the Court below that there is criminal antecedent of the petitioner during that case, his bail bond shall be cancelled immediately.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ritik/-

U		T	
---	--	---	--