

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18606 of 2022

Arising Out of PS. Case No.-33 Year-2020 Thana- BACHHWARA District- Begusarai

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Krishna Kumar @ Kunal @ Kunal Kumar S/O Uday Shankar Sharma @
Uday Sharma R/O Village- Sahuri Ward No. 6, P.S.- Birpur, District-
Begusarai, Presently Residing At C/O Rambahadur Sharma (Nana), R/O
Village- Marsaiti, Ward No. 7, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 392 of the Indian Penal Code.

Earlier, prayer for bail of the petitioner was rejected
vide order dated 22.12.2021 passed in Cr. Misc. No. 70571 of
2021.

It is submitted by learned counsel for the
petitioner that petitioner is innocent, not named in the FIR and
has been falsely implicated in this case. He submits that now the
charges have been framed against the petitioner on 21.02.2022.
He submits that the similarly situated co-accused has already
been granted bail by a Bench of this Court vide order dated
08.03.2021 in Cr. Misc. No. 39277 of 2020. He further submits



that petitioner has one criminal antecedent as stated in para-3 of this application and he is languishing in judicial custody since 29.02.2020.

Learned APP for the State opposes the prayer for bail.

Considering the period of custody and the fact that similarly situated co-accused has already been granted bail, let the above named petitioner, be enlarged on bail **after verification of criminal antecedent** on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with S.T. Case No. 64 of 2022 arising out of Bachhwara P.S. Case No. 33 of 2020, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.



(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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