

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23708 of 2022**

Arising Out of PS. Case No.-5 Year-2022 Thana- CHANPATIA District- West Champaran

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Krishna Shrivastava Son Of Late Kailash Shrivastava R/O Village- Sukhban,  
P.S.- Patkhauli, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP.

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

2      29-07-2022                      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  
Chanpatiya P.S. Case No. 05 of 2022 lodged under Sections  
420, 414, 467, 468, 471 of the Indian Penal Code read with  
Sections 25(1-b)a/26/35 of Arms Act.

The prosecution case is that, on confidential  
information that 2 miscreants are about to commit some offence  
at Bara Chowk near State Bank of India, Chanpatiya. The said  
information was reached to high police officials and thereafter,  
police personnel proceeded at about 12.50 hours. The police  
party saw 2 persons on a Glamour motorcycle. The police tried

to caught them but they were fled away leaving motorcycle. Lastly one managed to escape and the other one was apprehended, upon query he disclosed his name as Krishna Shrivastava (the petitioner) and from his possession one loaded desi katta, two live cartridges, 'Redmi mobile' alongwith red color Glamour motorcycle were recovered.

Learned counsel for the petitioner submits that petitioner is suffering from heart decease which is being transpired by Annexure-2 series. It has been further submitted that petitioner is in custody since 14.01.2022. Learned counsel for the petitioner fairly mentioned that there are 5 criminal cases pending against the petitioner but he also submits that in all the cases the petitioner is on bail and in the present case he shall appear on day to day basis and ready to fulfill all the conditions of the bail bonds.

Learned counsel for the State opposes the prayer for bail.

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.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah,

West Champaran in connection with Chanpatiya P.S. Case No. 05 of 2022, 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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