

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21369 of 2022

Arising Out of PS. Case No.-501 Year-2021 Thana- SONEPUR District- Saran

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VIJAY KUMAR Son of Mishri Paswan @ Mishri Prasad, Resident of Village
- Barbata, P.S.- Sonpur, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 17-09-2022 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
Sonpur (Hariharnath O.P.) P.S. Case No. 501 of 2021 under
Sections 324, 326, 341, 307, 447 and 379 of Indian Penal Code
and later on section 302/34 of the I.P.C. added.

The present F.I.R. has been filed against 3 unknown
persons, who have snatched the golden chain, locket and
Rs.5000/- and also attacked on the father of the informant by
knife, which subsequently resulted into death of the informant's
father.

Learned counsel for the petitioner submits that

petitioner is innocent and he is not named in the F.I.R. He further submits that nothing incriminating has been recovered from the possession of the petitioner and petitioner was not put on T.I.P. He further submits that petitioner is in custody since 05.09.2021, charge sheet has already been filed in this case and petitioner has no any criminal antecedent. He further submits that name of the petitioner has figured in this case on the confessional statement of the co-accused. He further submits that one of the co-accused having similar allegation has been granted bail vide order dated 21.07.2022 passed in Cr. Misc. No. 17968 of 2022.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant has also opposed the prayer for bail and submits that the name of the petitioner has figured in this case on the confessional statement of co-accused.

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 Chief Judicial Magistrate, Chapra in

connection with Sonpur (Hariharnath O.P.) P.S. Case No. 501 of 2021, 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 an 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.)

ravishankar/-

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