

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23518 of 2022

Arising Out of PS. Case No.-82 Year-2021 Thana- KASMA District- Aurangabad

1. Nitish Kumar Son of Basant Yadav Resident of Village - Mahulaniya, P.s.- Chhakar Bandha, Distt.- Gaya (Bihar).
2. Aashish Kumar Yadav Son of Arjun Yadav Resident of Village - Mahulaniya, P.s.- Chhakar Bandha, Distt.- Gaya (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Advocate.

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-08-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Kasma P.S. Case No. 82 of 2021 lodged under Section 379 of the Indian Penal Code.

Learned counsel for the petitioners submits that they are innocent and have committed no offence. It has been submitted by the counsel that F.I.R. is against unknown. Petitioners were arrested in connection with Salaiya P.S. Case No. 47 of 2021 but he was remanded in the present case and

languishing in custody since 25.11.2021. Learned counsel for the petitioner further submits that charge sheet has already been filed in this case and he is in jail merely on suspicion, nothing was either recovered nor T.I.P. of petitioner has been taken place.

Learned counsel for the State opposes for prayer of 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, Aurangabad (Bihar) in connection with Kasma P.S. Case No. 82 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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