

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22306 of 2022

Arising Out of PS. Case No.-228 Year-2019 Thana- MAJHAULIA District- West Champaran

Chunnu Mian @ Md. Nurullah S/o Mo Irfan @ Irfan @ Md. Irfan, Resident
of Jaukatiya, P.S.- Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Anjali Kumari, Advocate.
	:	Mr. Bimlesh Kumar Pandey, Advocate.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 15-09-2022 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
Majhauria P.S. Case No. 228 of 2019, lodged under Sections
413, 414, 419, 420, 467, 468, 471, 472, 379, 120(b) of the
Indian Penal Code read with Section 66 of I.T. Act.

As per the prosecution case, during normal patrolling
of the Police then 10 to 12 persons standing near the SBI ATM
Majhauriya. After seeing the police party they started fleeing
away, but on chase, 5 persons apprehended by the Police who
disclosed the name of the petitioner.

Learned counsel for the petitioner submits that petitioner has not been apprehended from the alleged place of occurrence, neither any incriminating recovered from his possession nor he was subjected to TIP. It has been further alleged that petitioner is in custody since 28.02.2022 having one criminal antecedent. Learned counsel for the petitioner further submits that those accused persons who were apprehended by the Police have already been granted bail by the Co-ordinate Bench of this Court (Annexure-2 series).

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.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 228 of 2019, 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 affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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