

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22155 of 2022

Arising Out of PS. Case No.-445 Year-2021 Thana- BHAGWAN BAZAR District- Saran

Rajan Kumar Sharma Son of Ram Sighashan Sharma Resident of Village -
Brahampur, P.S.- Bhagwan Bazar, District - Saran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gaurav Singh, Adv.
	:	Mr. Tej Narayan Singh, Adv.
	:	Mr. Harsh Kumar Singh, Adv.
	:	Mr. Satyendra Prasad Singh, Adv.
For the Opposite Party/s :	:	Mr. Rajendra Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 31-08-2022 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
Bhagwan Bazar P.S. Case No. 445 of 2021 lodged under
Sections 379/461 of the Indian Penal Code.

As per the prosecution case, the allegation is that the
informant is Puzari of Hathi Das Mathia who was sleeping in
the Mandir and in the meantime he has seen that in the Mandir
the flower was not near statue. Upon query from one Dilip
Chaudhary it was informed that he has taken photograph after

removing said flowers. In the morning at about 3 a.m. when he saw that the statue was not at the place, thereafter the present F.I.R. has been lodged against unknown person.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R., his name has figured in this case by virtue of the confessional statement of other co-accused. He further submits that petitioner is in custody since 10.12.2021, chargesheet has already been filed in this case. On the point of criminal antecedent of petitioner, it has been submitted that there is one case pending against him. He further submits that one co-accused namely Abhay Kumar Singh has already been granted bail by the Co-ordinate Bench of this Court vide order dated 19.07.2022 passed in Cr. Misc. No. 12406 of 2022.

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 A.C.J.M.-I, Chhapra in connection with Bhagwan Bazar P.S. Case No. 445 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 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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