

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23468 of 2022

Arising Out of PS. Case No.-14 Year-2021 Thana- ROH District- Nawada

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Rajesh Singh @ Chhote Son of Ramoutar Singh R/o vill.- Dhanpur, P.S.-
Kashichak, Distt.- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhishek, Advocate.

For the Opposite Party/s : Mr. Murli Dhar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-07-2022 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 S.
Tr. No. 301 of 2021 arising out of Roh P.S. Case No. 14 of 2021
lodged under Sections 364, 365, 379 and 34 of the Indian Penal
Code.

As per the prosecution case, the informant Dinesh
Patel was going with his friend in his 'Innova Car' then at about
10:15 pm, three unknown criminals stopped and encircled his
car. On the pistol point they have pushed the informant and hold
the steering himself. The informant and his friend was seated on
back side, any how informant sent a message to his friend and
requested to call the police, upon which the police intercepted
and the said car was recovered. Seeing the police, criminals fled

away leaving the vehicle and informant but they have taken the informant's mobile. Thereafter, the present case has been lodged by the informant.

Learned counsel for the petitioner submits that the F.I.R. has been lodged against unknown persons, his name has figured in this case by virtue of the disclosure of his name by the co-accused. He submits that even after his arrest T.I.P. has not been conducted and petitioner is languishing in jail since 15.04.2021. He further submits that chargesheet has already been filed, charge has been framed and trial has been commenced. On the point of criminal antecedent, learned counsel for the petitioner submits that petitioner is ready to fulfill all the conditions whatever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail and submits that since trial has commenced and petitioner has to appear during trial and there is a chance of his absconding, therefore, bail may not be granted.

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.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Session Judge-XIth

Nawada in connection with S. Tr. No. 301 of 2021 arising out of Roh P.S. Case No. 14 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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