

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23688 of 2022

Arising Out of PS. Case No.-101 Year-2021 Thana- MURLIGANJ District- Madhepura

Babul Kumar Son of Prabhash Yadav Resident of Village - Rahua, P.S.- Sour
Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Advocate.

For the Opposite Party/s : Mr. Sharda Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 29-07-2022 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
Murliganj P.S. Case No. 101 of 2021 lodged under Section 392
of the Indian Penal Code.

The prosecution case is that, while informant was
returning from his motorcycle and reached near the Baluha Pul
then 4 miscreants riding on motorcycle snatched his motorcycle
and cash, thereafter, fled away.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R., during course of
investigation and on the basis of confessional statement of co-

accused namely Manish Kumar name of the petitioner has been figured in this case. He further submits that the other co-accused namely Ramratan Singh and Navneet Kumar was granted bail by the Co-ordinate Bench of this Court vide orders dated 03.03.2022 and 11.04.2022 passed in Cr. Misc. No. 67925 of 2021 and Cr. Misc. No. 8351 of 2022 respectively. Learned counsel for the petitioner submits that petitioner is in custody since 23.08.2021. He further submits that the antecedent of petitioner is not clean and there are 6 cases pending against him.

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.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist, Madhepura in connection with Murliganj P.S. Case No. 101 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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