

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23675 of 2022

Arising Out of PS. Case No.-90 Year-2021 Thana- SAHAJITPUR District- Saran

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Vivek Kumar Singh Son of Ritesh Singh Resident of village - Pipara, P.S.-
Sahajitpur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Adv.

For the Opposite Party/s : Mr. Nityanand, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 02-08-2022 Learned counsel for the petitioner submits that due to

mistake, wrong statement has been inserted in paragraph no.6 of

the petition, he seeks permission to correct the statement

mentioned in paragraph no.6 in course of the day.

Permission granted.

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

Sahajitpur P.S. Case No. 90 of 2021 lodged under Section 392

of the Indian Penal Code.

Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. His name

has figured in the present case on the basis of suspicion. There is allegation of theft in the F.I.R. but nothing was recovered from the possession of the petitioner. It has also been informed that petitioner has been remanded in the present case that is Ekma P.S case No. 440 of 2021 under Section 392, 441 of I.P.C. It has also been submitted to the petitioner in custody since 25.11.2021. Learned counsel for the petitioner further submits that neither any theft article was recovered from the possession of the petitioner nor TIP has been made till date and he is in custody since 25.11.2021, charge-sheet has already been filed in this case. On the point of his criminal antecedent learned counsel for the petitioner submits that petitioner is ready to fulfill all the conditions which shall be imposed upon 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.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saran At Chapra in connection with Sahajitpur P.S. Case No. 90 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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