

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30758 of 2022

Arising Out of PS. Case No.-196 Year-2021 Thana- CHAUTHAM District- Khagaria

PAWAN KUMAR Son of Banarsi Singh Resident of Village - Telauchh, P.S.-
Chautham, Distt.- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 395 and 412
of the Indian Penal Code, in connection with Chautham P.S.
Case No. 196 of 2021.

The prosecution story, in brief, is that some
miscreants committed Dacoity in the house of the informant and
took away Rs. 3,50,000/- as also valuable ornaments.

Learned counsel for the petitioner submits that he
has no criminal antecedent and is in custody since 14.3.2022 (as
stated in para-12 of the bail application). Further submission is
that his name has come up in the confessional statement of



Sanjay Kumar. It is further submitted by him that some of the co-accused namely, Pankaj Kumar (Cr. Misc. No. 3590 of 2022), Girish Singh (Cr. Misc. No. 20802 of 2022) and Bharat Kumar (Cr. Misc. No. 3490 of 2022) have been released on bail by the co-ordinate bench of this Court vide order dated 6.6.2022, 13.5.2022 and 6.6.2022 respectively.

Let the bail orders be kept on record.

Taking into account the aforesaid facts as also that he has no criminal antecedent, is in jail since 14.3.2022 and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail. However, if it is found that he do have criminal antecedent, this bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Judicial Magistrate, 1st Class, Khagaria, in connection with Chautham P.S. Case No. 196 of 2021 subject to the following conditions:

- (i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;
- (ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay Singh

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