

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32167 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- KORHA District- Katihar

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Amit Kumar S/o Sri Chandradev Singh Resident of Satkodariya, Gangeli,
P.s.- K. Nagar, District- Purnea, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Preety Kunwar, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 30-11-2022 Let the defect(s), 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
Korha P.S. Case No. 42 of 2022 lodged under Section 392 of the
I.P.C.

As per the prosecution case, the allegation of robbery
has been made there in the F.I.R. against 2 unknown accused
persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel submits that he is not named in the F.I.R. and he is in
custody since 20.02.2022 and he was not put on T.I.P..Charge
sheet has already been submitted in this case. Learned counsel

submits that it has been stated in the F.I.R. itself that 45 inch T.V. has been taken away by the criminals but in the Seizure list, 55 inch T.V. was seized. Therefore, the alleged seizure has not supported the involvement of the present petitioner in the alleged crime. Learned counsel for the petitioner submits that there are 3 criminal antecedent of the petitioner and in 2 cases, he is on bail and in one case, he is persuading for bail.

Learned counsel for the State opposes the prayer for bail and submits that there is difference in the size of T.V. shown in the F.I.R. and Seizure list.

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 Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 42 of 2022, 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 be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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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