

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33102 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- GOVINDPUR District- Nawada

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Raushan Saxena S/o Ajay Prasad @ Ajay Kumar R/o village- Harnarayanpur,
P.S.- Nardiganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, 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
Govindpur P.S. Case No. 32 of 2022 lodged under Section 392
of the I.P.C.

As per the prosecution case, the F.I.R. has been
lodged against 4 unknown accused persons who have committed
theft of a pick-up van bearing No. BR27G9832.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that nothing was recovered from the possession of the petitioner
and he was not put on T.I.P. whereas the informant has claimed

that he shall identify the accused. Learned counsel further submits that there is no case relating to robbery pending against him but only one case relating to excise matter is pending against him in which he is on bail. Learned counsel further submits that petitioner is in custody since 12.02.2022. and charge sheet has already been filed.

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.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Aditi Kumari J.M. 1st class, Civil Court Nawada in connection with Govindpur P.S. Case No. 32 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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