

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37557 of 2022

Arising Out of PS. Case No.-362 Year-2021 Thana- MADANPUR District- Aurangabad

RAHUL KUMAR S/o Satish Kumar Sharma, R/o Village- Badipur, P.S.-
Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-09-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with
Madanpur P.S. Case No. 362 of 2021 lodged under Sections 395
and 397 of the Indian Penal Code.

As per prosecution, the allegation of *dacoity* is there
in the F.I.R. against 3 named and 2 unnamed accused persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that nothing was recovered from the possession of the
petitioner and he was not put on T.I.P.. He further submits that
name of the petitioner has come in this case by virtue of the

confessional statement of the co-accused Gaurav and Ashish, who were granted bail by the Co-ordinate Bench of this Court vide orders dated 14.07.2022 and 13.07.2022 passed in Cr. Misc. No. 15201 of 2022 and Cr. Misc. No. 31035 of 2022 respectively. He further submits that petitioner is in custody since 26.12.2021 (wrongly type as 06.12.2021 in the petition). Learned counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the 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, Aurangabad in connection with Madanpur P.S. Case No. 362 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an 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.)

ravishankar/-

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