

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36497 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- DESARI District- Vaishali

Awadhesh Kumar Son Of Shankar Ray @ Ramashankar Ray R/O Village-
Shekhopur, P.S.- Desri (SAHDEI O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-09-2022 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.

The petitioner seeks regular bail in connection with
Desri (Sahdei O.P.) P.S. Case No. 21 of 2022 lodged under
Sections 448, 452, 457, 380, 324, 326, 307 of the I.P.C.

As per the prosecution case, the allegations of theft
and entering into the house are there in the F.I.R. Learned
counsel for the petitioner submits that the name of the petitioner
is not figured in the F.I.R. He submits that those accused
persons who have committed the crime, have dropped the
Adhaar card of the petitioner at the place of occurrence on
which name of Ravindra Paswan is there but photograph of

present petitioner is attached on the said Adhaar card.

Learned counsel for the petitioner submits that the name of the petitioner has been figured only and only on the suspicion due to forgery taken place with the petitioner because accused Ravindra Paswan has used the photograph of the petitioner with his name.

Learned counsel for the petitioner submits that petitioner is a man of clean antecedent and he is in custody since 22.01.2022, charge sheet has already been filed in this case.

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 Chief Judicial Magistrate, Hajipur at Vaishali in connection with Desri (Sahdei O.P.) P.S. Case No. 21 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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