

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36059 of 2022

Arising Out of PS. Case No.-32 Year-2021 Thana- KALYANPUR District- Samastipur

Santosh Kumar Singh S/o Late Suresh Prasad Singh, R/o village- Shekhopur,
P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Sr. Adv.
	:	Mrs. Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 16-11-2022 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
Sessions Trial No.214 of 2022 arising out of Kalyanpur P.S.
Case No. 32 of 2021, lodged under Sections 341, 323, 324, 307,
385, 386, 379, 504, 506 of the Indian Penal Code but
subsequently Section 302 of the Indian Penal Code has been
added.

As per prosecution case, the informant has stated that
the present petitioner came in his poultry farm on 03.01.2021
and started demanding ransom, upon oppose, he has attacked by
iron rod on the head of informant twice. On hulla, nearby people
reached there. Allegation of snatching of Rs.50,000/- and golden

chain worth Rs.40,000/- is also there.

Learned counsel for the petitioner submits that antecedent of petitioner is clean and he is in custody since 17.02.2022. He further submits that due to village politics and land dispute also, name of petitioner has figured in this case and he is basically a scapegoat because his antecedent is clean. Learned counsel further submits that petitioner shall file an undertaking that he will support in the trial and if anything found unlawful, his bail bonds may be cancelled.

Upon specific query that whether charge has been framed in this case or not, learned counsel for the petitioner submits that charge has already been framed.

Learned counsel for the State opposes the prayer for bail and submits that not only charge has been framed but also out of 9 witnesses, examination of 3 witnesses has already taken place.

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 Additional District and Sessions Judge-10, Samastipur in connection with Sessions Trial No.214

of 2022 arising out of Kalyanpur P.S. Case No. 32 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 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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