

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35734 of 2022

Arising Out of PS. Case No.-448 Year-2021 Thana- JOGAPATTI District- West Champaran

Gulshan Kumar @ Gulsan Kumar S/o Madhav Mishra, Resident of Village -
Sirisia, Ward no. 08, P.S. - Sirisia O.P., District - West champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-11-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with
Jogapatti (Sanichari) P.S. Case No. 448 of 2021, lodged under
Section 379 of the Indian Penal Code.

As per prosecution case, the allegation of theft of
Bolero vehicle of the informant was made and F.I.R. has been
lodged against unknown criminals.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that nothing incriminating has been recovered from the
possession of petitioner, nor he was put on T.I.P. Learned

counsel for the petitioner further submits that petitioner is in custody since 01.11.2021. He also submits that there are 3 criminal cases pending against the petitioner in which he is on bail in all the cases. Learned counsel for the petitioner further submits that petitioner is ready to fulfill all the conditions, whatsoever shall be imposed upon him by the Court. He further submits that name of petitioner has figured in this case by virtue of confessional statement of co-accused.

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, Bettiah at West Champaran in connection with Jogapatti (Sanichari) P.S. Case No. 448 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.)

ritik/-

U		T	
---	--	---	--