

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36302 of 2022

Arising Out of PS. Case No.-65 Year-2021 Thana- KANKARBAG District- Patna

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Pawan Kumar @ Lallu Kumar Son of Sri Mukesh Kumar Singh, R/o- Vill-
Saheb Nagar, P.S.- Gaurichak, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Mrs. Priyanka Singh, Adv.
For the Opposite Party/s :		Mr. Anil Kumar Singh No.1, APP.

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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
S.Tr. No. 796 of 2021 arising out of Kankarbagh P.S. Case No.
65 of 2021, lodged under Sections 363, 365, 418, 302, 201,
120(B)/34 of the Indian Penal Code.

The F.I.R. has been lodged against unknown persons,
it has been stated in the F.I.R. by the informant that her husband
went to visit office at Masaurhi Block but did not return,
subsequently upon query from different persons it has been
informed that the alleged person has not reached to the office,

thereafter, the present F.I.R. has been lodged by her wife.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that the present F.I.R. has been lodged against unknown persons. He further submits that name of petitioner has figured in this case by virtue of confessional statement of other persons. He further submits that the other co-accused persons have been granted bail by the Co-ordinate Bench as well as this Bench vide orders dated 17.05.2022 and 05.09.2022 passed in Cr. Misc. Nos. 69052 of 2021 and 22327 of 2022. Learned counsel for the petitioner further submits that petitioner is in custody since 26.01.2021, charge sheet has already been filed and antecedent of petitioner is clean.

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 Judicial Magistrate, Patna in connection with S.Tr. No. 796 of 2021 arising out of Kankarbagh P.S. Case No. 65 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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