

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36105 of 2022

Arising Out of PS. Case No.-58 Year-2022 Thana- CHAKAI District- Jamui

Chandan Kumar Rai @ Chandan Kumar Ray Son of Late Kuchu Rai @ Kuchchu @ Kochu Rai, Resident of - Gadi Simariya, P.S. - Chakai, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar Singh, 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 Chakai P.S. Case No. 58 of 2022, lodged under Section 363, 364, 365/34 of the Indian Penal Code.

As per the prosecution case, the allegation of kidnapping has been made and F.I.R. has been lodged against unknown accused persons.

Learned counsel for the petitioner submits that name of petitioner is not figured in the F.I.R. He further submits that recovery of victim has taken place but not from the house of

petitioner. Learned counsel for the petitioner further submits that the name of petitioner has figured in this case by virtue of confessional statement of co-accused. He further submits that petitioner is in custody since 16.03.2022 having clean antecedent and charge sheet has already been filed in this case. Learned counsel for the petitioner further submits that vide order dated 12.09.2022 this Court was pleased to grant bail to one co-accused person in Cr. Misc. No.26459 of 2022.

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.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Vth, Jamui in connection with Chakai P.S. Case No. 58 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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