

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36495 of 2022

Arising Out of PS. Case No.-124 Year-2022 Thana- ADAPUR District- East Champaran

Shambhu Sah Son Of Mahendra Sah Resident Of Mathiya, P.S.- Chhatauni,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Perna Rishi, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-09-2022 Let the defect, 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
Adapur P.S. Case No. 124 of 2022 lodged under Sections 379,
413, 414 and 34 of the Indian Penal Code, 1860.

As per the prosecution case, the apprehended accused
persons have disclosed name of the accused person that they
have sold the theft vehicle to the present petitioner.

Learned counsel for the petitioner submits that though
petitioner is named in the F.I.R. but the petitioner has not
apprehended from the place of occurrence. Learned counsel
further submits that nothing was recovered from his possession

nor he was put on T.I.P. The petitioner's name has come in this case only and only by the virtue of confessional statement of co-accused who was apprehended there. The petitioner is in custody since 23.04.2022, charge sheet has already been filed. It has been submitted on behalf of the petitioner that there is one criminal case pending against the petitioner, in which he is on bail. Learned counsel for the petitioner submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

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 Sub-Divisional Judicial Magistrate, Raxaul in connection with Adapur P.S. Case No. 124 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.)

ashishsingh/-

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