

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37707 of 2022

Arising Out of PS. Case No.-77 Year-2021 Thana- SINGHESHWAR District- Madhepura

Raushan Kumar @ Hitlar S/O Shashishekhar Yadav @ Shekhar Yadav @
Shashishekar Kumar Resident of Village- Jogwani P.S.- Gamharia, District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-11-2022 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
Singheshwar P.S. Case No. 77 of 2021 lodged under Section
392 of the I.P.C.

As per the prosecution case, the F.I.R. has been
lodged against 2 unknown persons with allegation that 2
criminals have entered in the shop of the informant and on the
gun point looted Rs. 60,000 – Rs. 70,000/- and fled away
towards Durga Chowk.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He submits that his name has figured in this case by virtue of the confessional statement of the co-accused. Counsel further submits that petitioner is in custody since 27.01.2022. Counsel further submits that police has arrested him only due to the reason that he has criminal antecedent. There are in total 8 criminal cases pending against him in which he is on bail in 3 cases. Counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail and submits that petitioner has criminal antecedent.

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, Madhepura in connection with Singheshwar P.S. Case No. 77 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.)

sadique/-

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