

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36713 of 2022

Arising Out of PS. Case No.-146 Year-2022 Thana- TEKARI District- Gaya

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Banti @ Md. Shakib Alam Son Of Md. Fakhruddin Alam R/O- Vill-
Belhariya, P.S.- Tekari, Dist.- Gaya (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-09-2022 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
Tekari P.S. Case No. 146 of 2022 lodged under Section 395 of
the I.P.C.

As per the prosecution case, there is an allegation of
dacoity against 5 unknown persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Nothing
was recovered from his possession. He further submits that he
was not put on T.I.P. He submits that when the petitioner got
information that there is a case pending against him, then he

moved in the police station to surrender in the said case which he has narrated in paragraph 3. He further submits that instead of surrendering, police has arrested the present petitioner in the present case. He is in custody since 25.03.2022. Learned counsel further 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.

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 Additional Chief Judicial Magistrate-VI, Gaya in connection with Tekari P.S. Case No. 146 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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