

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38149 of 2022

Arising Out of PS. Case No.-378 Year-2021 Thana- DIGHA District- Patna

=====

Gulshan Kumar @ Chhotaka @ Chotan Son of Raj Kumar Chauhan, Resident of village - Akbarpur, P.S.- Barh, District - Patna. At present - Rajiv Nagar, P.S.- Rajiv Nagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP.

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-09-2022 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 through virtual mode.

The petitioner seeks regular bail in connection with Digha P.S. Case No. 378 of 2021, lodged under Sections 356 & 379 of the Indian Penal Code.

As per the prosecution case, the allegation of snatching is there in the F.I.R. against 2 unknown accused persons.

Learned counsel for the petitioner submits that the present F.I.R. has been lodged against unknown accused persons. He further submits that name of petitioner has figured

in this case by virtue of confessional statement of the co-accused namely Kallu Kumar. He further submits that nothing incriminating recovered from the possession of petitioner, nor he was put on TIP. He further submits that petitioner is in custody since 21.09.2021 as per petition, but since 21.08.2021 as per order of Sessions Court and charge sheet has already been filed in this case. On the point of criminal antecedent, learned counsel for the petitioner submits 2 cases is pending against the petitioner, in these 2 cases he was remanded. On the confessional statement of Kallu Kumar his name has figured, and in those cases he is on bail. Learned counsel for the petitioner 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 Sub Divisional Judicial Magistrate, Patna in connection with Digha P.S. Case No. 378 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.)

ritik/-

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