

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38889 of 2022

Arising Out of PS. Case No.-61 Year-2018 Thana- BARH District- Patna

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GOLU KUMAR Son of Ganesh Singh, Resident of Village- Nadawan, P.S.-
Barh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-11-2022 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
Barh P.S. Case No. 61 of 2018 lodged under Section 414 of the
I.P.C. read with sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution case, the police has recovered
a looted Bolero Pick Up Van. The allegation against the
petitioner is that he jumped from the Bolero Pick Up Van and
started run away but two persons other than petitioner have been
arrested by the police.

Learned counsel for the petitioner submits that
nothing was recovered from the petitioner's possession. He also

submits that petitioner's name has figured in this case by virtue of the confessional statement of the co-accused who has been apprehended from the place of occurrence. He further submits that petitioner is in custody since 30.03.2022 having one criminal antecedent in which he is on bail. He further submits that charge sheet has already been filed in this case.

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 A.C.J.M.Ist, Barh in connection with Barh P.S. Case No. 61 of 2018, 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 an 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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