

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49275 of 2021

Arising Out of PS. Case No.-490 Year-2020 Thana- CHAPRA TOWN District- Saran

=====
Golu Kumar @ Golu Singh Son of Subodh Singh, Resident of Village- Arara,
P.S.- Vaishali Sadar, District- Vaishali, at present- Bichala Telpa, Gauriya
Tola, P.S.- Chapra Town, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====
Appearance :

For the Petitioner/s : Mr. Harish Kumar. Adv.

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

=====
CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 27-09-2022 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
Chapra Town P.S. Case No. 490 of 2020, lodged under Sections
363, 364, 120(B) of the Indian Penal Code.

As per prosecution, the specific allegation against 3
accused persons namely Vinod Rai, Sonu Rai and Rahul Rai that
they called the son of informant for a party, thereafter he did not
returned. Apprehension of causing death has been made as the
accused Rahul Rai has disclosed to the informant about the
killing of his son.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. He further submits that
petitioner is innocent and has committed no offence, his name
has figured in this case by virtue of confessional statement of

co-accused namely Rahul Rai @ Raju Rai @ Rahul Kumar Rai who has been granted bail by the Co-ordinate Bench of this Court vide order dated 23.02.2022 passed in Cr. Misc. No.56226 of 2021. Learned counsel for the petitioner further submits that there is one criminal antecedent of present petitioner in which he is on bail, charge sheet has already been filed and petitioner is in custody since 31.10.2020. He specifically submits that at later stage, different persons whose names are figured in this case, were granted bail by the Co-ordinate Bench of this Court vide orders dated 12.03.2021, 02.09.2021, 16.09.2021, 25.01.2022, 25.01.2022 & 09.05.2022 passed in Cr. Misc. Nos. 39482 of 2020, 30386 of 2021, 35701 of 2021, 11892 of 2021, 37981 of 2021 & 32772 of 2021 respectively.

Learned counsel for the State opposes the prayer for bail but accepts that the name of petitioner has not figured in the F.I.R.

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, Saran in

connection with Chapra Town P.S. Case No. 490 of 2020, 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	
---	--	---	--