

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42173 of 2022

Arising Out of PS. Case No.-127 Year-2021 Thana- GWALPARA District- Madhepura

Sajan Kumar S/O Yogendra Yadav Resident of village- Paharpur (Pama Tola),
Ward No- 13, P.S.- Sour Bazar (Patarghat O.P), District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-11-2022 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
Gwalpara P.S. Case No. 127 of 2021, lodged under Sections 394
of the Indian Penal Code.

As per prosecution case, the criminal case has been
lodged against 3 unknown accused persons for committing loot
of Rs.55,200/- as well as other electronic items and documents.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that nothing incriminating has been recovered from the
possession of petitioner as well as neither article nor the

petitioner were put on T.I.P. He also submits that there are 3 criminal antecedents of petitioner and he is on bail in all 3 cases. He further submits that in the present case petitioner was remanded and in custody since 28.03.2022 and charge sheet has already been filed in this case. He 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 Judicial Magistrate, 1st Udakishunganj, Madhepura in connection with Gwalpara P.S. Case No. 127 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.)

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