

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54854 of 2021

Arising Out of PS. Case No.-544 Year-2020 Thana- SIWAN CITY District- Siwan

Govinda Chauhan Son of Chhathi Lal Chauhan Resident of Mohalla - Dakhin
Tola, P.S. - Siwan Town, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present application has been filed on behalf of the petitioner, above named, for grant of regular bail to the petitioner who has been made accused and put behind the bars in connection with Siwan Town P. S. Case No. 544 of 2020 registered for the offences punishable under Section 392 of the Indian Penal Code.

The prosecution case is that on the alleged date of occurrence on 25.11.2020, while the informant was coming from Lucknow. When he hired a tempo, in the meantime, three miscreants came from splendor motorcycle and on the point of pistol, snatched his belongings including Rs. 10,000/- from his purse.



It has been submitted on behalf of the petitioner that the name of the petitioner has come on the confessional statement of one co-accused Abhijit Kumar from whose possession the looted articles have been recovered and this petitioner is in custody since 02.02.2021 but till date he has not been put on T.I.P. and furthermore, nothing has been recovered from the possession of this petitioner. It is next submitted by the learned counsel for the petitioner that the charge-sheet has also been submitted and there is no chance of absconding of the petitioner and tampering the evidence.

On the other hand, learned APP for the State has pointed out with regard to the criminal antecedents of the petitioner as mentioned in Paragraph No. 3 of this application showing the involvement of the petitioner in three cases.

With regard to the criminal antecedents, it has been submitted on behalf of the petitioner that earlier the petitioner was made accused in connection with Siwan Town P.S. Case No. 563 of 2020 and thereafter he has been remanded in two other cases mentioned in Paragraph No. 3 of the application.

Having considered the submissions made on behalf of the parties, it is evident that the name of the petitioner transpired in the confessional statement of the co-accused and nothing has



been recovered from the possession of this petitioner and he is rotting in jail since 02.02.2021 but till date he has not been put on T.I.P., let this petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Town P. S. Case No. 544 of 2020, subject to the following conditions:

(a) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and in case of his absence on two consecutive dates without cogent reason, his bail bonds shall be cancelled by the Court below.

(b) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Harish Kumar, J)

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