

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47549 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- TAJPUR District- Samastipur

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Rohit Kumar @ Ashutosh Kumar Son of Jagarnath Ray @ Jagannath Ray,
Resident of Village - Darwa, P.s.- Tajpur (Halai OP) in the distt. of
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-11-2022 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
Tajpur (Halai O.P.) P.S. Case No. 145 of 2021, lodged under
Sections 394, 395, 397 and 398 of the Indian Penal Code.

As per prosecution case, the F.I.R. has been lodged
against 3 unknown persons, in which allegation of *dacoity* on
gun point is there in the F.I.R. and upon which the accused
persons fled away from the place of occurrence.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further

submits that name of petitioner has figured in this case by virtue of the confessional statement of the co-accused. Learned counsel also submits that 3 criminal cases are pending against the petitioner. He further submits that there was initially one case which was pending against the petitioner, in which he is on bail but during pendency of the present case two more cases have been filed against him, in which he is persuading for bail. He also submits that petitioner is in custody since 14.03.2022, charge-sheet has already been filed. He further submits that the other co-accused persons of this case have already been granted bail by the Co-ordinate Bench of this Court vide Annexure-2 (Page 14 to 19).

Learned A.P.P. 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 Chief Judicial Magistrate, Samastipur in connection with Tajpur (Halai O.P.) P.S. Case No. 145 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 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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