

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3010 of 2022

Arising Out of PS. Case No.-46 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Chhotu Ram @ Vikash Ram @ Shubh Kumar Raj Son Of Jaleshwar Ram
Resident Of Village - Ambedkar Nagar, Baswariya, P.S.- Bettiah Town,
District - West Champaran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Soni Shrivastava
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-11-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Earlier, prayer for bail of the appellant was twice
rejected vide order dated 25.06.2019 and 25.08.2021 passed in
Cr. Misc. No. 17082 of 2019 and Cr. APP (SJ) No. 1832 of 2021
respectively.

In pursuance to the order dated 21.09.2022, status
report in connection with Bettiah Town P.S. Case No. 46 of
2018 has been received in which it is reported that the case is
running for framing of charge.

Learned counsel for the appellant submits that the
appellant is innocent and has been falsely implicated in this
case. He submits that the charge has been framed against the
appellant. He submits that the appellant has criminal antecedent



and he is languishing in judicial custody 27.01.2018.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the period of custody, let the above named appellant, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST) Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 46 of 2018, subject to the conditions:

(1) that one of the bailors will be a close relative of the appellant, who will give an affidavit giving genealogy as to who he is related with the appellant. He will also undertake to inform the court if there is any change in the address of the appellant.

(II) that the appellant will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the appellant will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at



liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the appellant is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

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