

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62860 of 2021

Arising Out of PS. Case No.-38 Year-2020 Thana- NAGAR District- Vaishali

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Santosh Kumar @ Santosh Chaudhary @ Netaji S/o Bhaiyalal Chaudhary @
Munsilal Chaudhary Resident of Bagmusa, P.S.- Hajipur Town, Distt. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-07-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

The F.I.R. of the occurrence of loot is against unknown.

Learned counsel for the petitioner submits that in fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused namely Jitendra Paswan @ Pagla and



jyoti Kumar. He further submits that except the confessional statement of the co-accused persons nothing has come during investigation. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no test identification parade was conducted by the prosecution and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 20.01.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Hajipur Town P.S. Case No. 38 of 2020, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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