

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21632 of 2023

Arising Out of PS. Case No.-678 Year-2019 Thana- CHAPRA TOWN District- Saran

Saurabh Singh @ Saurabh Punj Son of Saheb Lal Resident of Village
Rampur, Dabansingh, Ps. Saray Khwaja, District - Jaunpur (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chapra Town P.S. Case No. 678 of 2019 dated 11.11.2019, instituted for the offence punishable under Sections 394, 307, 120B of the Indian Penal Code and 27 of the Arms Act.

3. The prosecution case, in short, is that the petitioner along with other two accused persons committed robbery on the informant and his friend and in course of the same, shot at the informant's friend. Both co-accused persons were caught at the spot while the petitioner managed to escape.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case due to ulterior motive of the police party. Learned counsel for



the petitioner submits that nothing incriminating article has been recovered from the possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner has not been arrested from the place of occurrence. Learned counsel for the petitioner submits that the petitioner has been named in the case on the basis of the statement of both apprehended co-accused persons. No T.I.P. has been conducted. Learned counsel for the petitioner further submits that co-accused, namely, Tej Bahadur Patel and Aditya Kumar @ Manoj @ Sanoj have been granted bail vide order dated 18.11.2021 passed in Criminal Miscellaneous No. 22202 of 2021 & vide order dated 13.03.2023 passed in Criminal Miscellaneous No. 52757 of 2022 by different Co-ordinate Bench of this Court. Lastly, it has been submitted that the petitioner is in custody since 03.10.2021 having two criminal cases. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Chhapra, in Chhapra Town P.S. Case No. 678 of 2019, subject to the following conditions:-



I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused 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 the proceeding for cancellation of bail on ground of misuse.

IV. 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.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

