

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27827 of 2023

Arising Out of PS. Case No.-52 Year-2022 Thana- SHEKHPURA District- Sheikhpura

Kittu Kumar @ Shantanu Kumar Son of Arvind Prasad Singh Resident of village - Barahiya, Purani Chhawani English, Ward No.- 18, P.S.- Barahiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Maharaj, Adv.

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-06-2023 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 Sheikhpura (Sirari O.P.) P.S. Case No. 52 of 2022 dated 12.02.2022 lodged under Sections 392 of the I.P.C.

As per the prosecution case, the present F.I.R. has been lodged against 3 unknown accused persons against whom allegation of snatching gold chain and looting the cash from the informant.

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

counsel submits that nothing incriminating has been recovered from his possession nor he was put on T.I.P..

Counsel further submits that petitioner was not arrested rather remanded by the police in the said case. He further submits that there were 6 criminal cases pending against him. Out of 6 cases, he is on bail in 3 cases, and in rest cases, he is persuading for bail.

Counsel further submits that petitioner is in custody since 23.01.2023 and the case under which he has been charged, is magisterial triable in nature.

Learned counsel 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, Sheikhpura in connection with Sheikhpura (Sirari O.P.) P.S. Case No. 52 of 2022, 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 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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