

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29213 of 2023

Arising Out of PS. Case No.-16 Year-2022 Thana- AWTARNAGAR District- Saran

Niraj Kumar Late Fagu Mahto Resident of village Jagdishpur P.S. Doriganj
District Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, 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.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Awatar Nagar P.S. Case No. 16 of 2022 dated 23.01.2022
lodged under Section 393 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against three known accused persons, who tried to
attempt to loot a Grahak Sewa Kendra (C.S.P.) of Punjab
National Bank at Mirjapur.

5. Learned counsel for the petitioner submits that
there is an allegation of attempt of loot. Counsel further submits
that petitioner is in custody since 12.09.2022 in which charge-

sheet has already been filed. The Section under which case has been lodged is 393 of I.P.C. which is magisterial triable in nature. Counsel submits that the petitioner is innocent and the police taking revenge from him has lodged four cases same day, particularly, when his name has figured in this case by virtue of the confessional statement of the co-accused. Counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

6. Learned counsel for the State opposes the prayer for bail.

7. 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 J.M. 1st Class, Saran at Chapra in connection with Awatar Nagar P.S. Case No. 16 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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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