

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31361 of 2023

Arising Out of PS. Case No.-354 Year-2022 Thana- ARWAL District- Jehanabad

1.

Ashok Kumar S/o Suresh Prasad Resident of Village- Budhan Tali, P.S.- Jehanabad, Kalpa, District- Jehanabad
2.

Chunchun Kumar S/o Late Jhalakdeo Singh Resident of Village- Budhan Tali, P.S.- Jehanabad, Kalpa, District- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Meena 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 petitioners and
learned A.P.P. for the State.

3. The petitioners seek regular bail in connection with
Arwal P.S. Case No. 354 of 2022 lodged under Section 379 of
the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against five named accused persons excluding the
petitioners.

5. Learned counsel for the petitioners submit that the
case has been filed under Section 379 of the I.P.C. in which the

name of the petitioners have not figured rather their names have figured by the confessional statement of the co-accused. Counsel submits that the two accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 25.05.2023 passed in Cr. Misc. No. 28318 of 2023. Counsel further submits that petitioners are in custody since 13.12.2022 having five cases pending against them in which they are on bail. Counsel further submits that Section in which the case has been filed is magisterial triable in nature.

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 petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Arwal in connection with Arwal P.S. Case No. 354 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners 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 petitioners.

C. The petitioners 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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