

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34877 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- KASBA District- Purnia

=====

Karan Chouhan @ Bablu Chouhan @ Bablu Jamader Son Of Anandi Jamader
@ Anandi Chouhan R/O Village- Chouhan Tola, Harish Chandarpur, P.S.-
Jalalgarh, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Ms. Asha Devi

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 14-02-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Kasba
P.S. Case No. 40 of 2022, registered for the offences
punishable under Section 394 of the Indian Penal Code.

The prosecution case as emerging from the FIR is
that the petitioner and his associates snatched the bag of the
informant on the point of pistol, in which cash of Rs.
7,89,000/- (Rupees Seven Lakhs and Eighty Nine Thousand
Only), a cheque of Rs. 2,00,000 (Rupees Two Lakhs Only)
and other important articles were kept.

Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the FIR has been lodged against unknown and no case property has been recovered from the possession of the petitioner except the alleged recovery of cash of Rs. 20,730/- (Rupees Twenty Thousand Seven Hundred and Thirty Only) and as per the petitioner that money belongs to him. He also submits that the alleged articles have been recovered from the co-accused Mithu Sharma.

He further submits that the petitioner has been languishing in jail since 08.03.2021.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in two other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances,



this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. C.J.M., Purnea in connection with Kasba P.S. Case No. 40 of 2022, **after framing of charge, if not already framed**, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than



the disclosed one, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

ashishkr/-

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

