

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35787 of 2023

Arising Out of PS. Case No.-158 Year-2022 Thana- BHAGWAN BAZAR District- Saran

Chandan Kumar Singh @ Bhaskar Singh S/O Gorakh Singh @ Gorakhnath Singh @ Gorakh R/O Village- Bahrapur @ Brahampur, P.S- Rampur, Karkhana, Distt.- Deoria (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-06-2023 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 Bhagwan Bazar P.S. Case No. 158 of 2022 dated 28.03.2022, lodged under Section 395 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been lodged against six unknown accused persons against whom, the allegation of dacoity is there.

5. Learned counsel for the petitioner submits that the name of the petitioner has figured in this case by virtue of the confessional statement of the co-accused, namely, Shubham

Singh @ Pahalwan. Counsel submits that the said Shubham Singh @ Pahalwan has been granted bail by the Co-ordinate Bench of this Court vide order dated 24.03.2023 passed in Cr. Misc. No. 72857 of 2022.

6. Learned counsel for the petitioner further submits that the petitioner is in custody since 12.04.2022 having one criminal case pending against him in which he is on bail.

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

8. 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 A.C.J.M. 1st, Saran in connection with Bhagwan Bazar P.S. Case No. 158 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.

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

(Dr. Anshuman, J.)

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