

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35749 of 2023

Arising Out of PS. Case No.-360 Year-2022 Thana- BIRPUR District- Supaul

Abhinav Kumar Son of Chandeshwar Singh, Resident of Village-
Sadanandpur Ward No.4, P.S.- Bhaptiyahi, Dist- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Patla Kumari, Adv.
For the Opposite Party/s : Mr. Narsingh Tanti, 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
Birpur (Balua Bazar) P.S. Case No. 360 of 2022 dated
10.11.2022, lodged under Section 392 of the Indian Penal Code.

4. As per prosecution case, the F.I.R. has been lodged
against unknown accused persons relating to snatching of
motorcycle and mobile.

5. Learned counsel for the petitioner submits that the
case has been filed against unknown accused persons. He
further submits that petitioner is in custody since 13.11.2022
and there are two criminal cases pending against him and in

both the cases he is on bail. He also submits that nothing incriminating has been recovered from the possession of petitioner rather the recovery has been made from the possession of other co-accused namely Chandan Kumar on whose confessional statement the name of petitioner has been figured in this case.

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 Additional Chief Judicial Magistrate-1, Birpur in connection with Birpur (Balua Bazar) P.S. Case No. 360 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 an 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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