

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36890 of 2023

Arising Out of PS. Case No.-344 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Bhola Gond, aged about 28 years, male, son of Munna Gond @ Munna Prasad Gond, resident of village- Uttar Patti Lane Ke Par, Tilauthu, PS. Tilauthu, Dist. Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Choubey, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Sasaram (Nagar) PS Case No. 344 of 2022 dated 01.05.2022, instituted for the offence punishable under Sections 457 and 380 of the Indian Penal Code.

3. The allegation is against unknown for committing theft in the house of the informant on 27.04.2022 when the informant had gone to attend the marriage ceremony in the family of near relatives.

4. Learned counsel for the petitioner submits that FIR has been instituted against unknown persons. The name of the petitioner has come in the confessional statement of Suresh



Chaurasiya. Nothing has been recovered from the possession of the petitioner. No test identification parade has been conducted till date. It is further submitted that co-accused, Suresh Chourasaiya, has been granted bail by the Court below itself on 13.12.2022. The petitioner is in custody since 21.09.2022 and charge-sheet has been submitted in the case. The petitioner has criminal antecedents of four cases.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Rohtas, in Sasaram Nagar PS Case No.344 of 2022, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other



case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

J. Alam/-

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

