

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37381 of 2023

Arising Out of PS. Case No.-316 Year-2020 Thana- AWTARNAGAR District- Saran

Neeraj Kumar @ Niraj Kumar Son Of Late Phagu Mahto Resident Of Village
- Jagdishpur, P.S. - Doriganj, District - Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-07-2023 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
Awtar Nagar P.S. Case No. 316 of 2020 dated 29.11.2020,
lodged under Section 394 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against six unknown accused persons and the name of
the petitioner has figured in this case by virtue of the
confessional statement of the co-accused.

5. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
also submits that from the F.I.R., the allegation against the

accused persons is that they all in connivance with each other committed offence of robbery. Counsel submits that the present case is the first case filed against him. Till date there were no case pending but as soon as his name has figured in this case, police has lodged four more criminal cases against the present petitioner. Out of four cases, petitioner is on bail in two cases and he is in custody since 29.07.2022.

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 4th Additional Sessions Judge, Chapra at Saran in connection with Awtar Nagar P.S. Case No. 316 of 2020, 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.

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

(Dr. Anshuman, J.)

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