

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37565 of 2023

Arising Out of PS. Case No.-180 Year-2021 Thana- MUFFASIL District- Aurangabad

Gautam Kumar @ Gautam Kumar Singh Son Of Satyendra Singh Resident
Of Village - Karma Basantpur, P.S. - Simra, District - Aurangabad (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, 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
Aurangabad (M) P.S. Case No. 180 of 2021 dated 02.08.2021,
lodged under Section 392 of the I.P.C.

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

5. Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. and nothing incriminating
has been recovered from his possession, nor he was put on T.I.P.
Counsel further submits that the petitioner is in custody since

16.12.2022 having three criminal cases pending against him in all the cases, he is on bail. Counsel submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court. Counsel also submits that the name of the petitioner has figured in this case by virtue of the confessional statement of the co-accused. Counsel further submits that two accused persons who have disclosed the name of the petitioner have already been granted bail by the Court of Additional Sessions Judge-Xth, Aurangabad itself.

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 Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (M) P.S. Case No. 180 of 2021, 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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