

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42647 of 2023

Arising Out of PS. Case No.-550 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Raja Kumar Son Of Ram Chandra Mahto Village Pokharia Ward No 36 Ps
Nagar Town, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 14-07-2023 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
Begusarai Town P.S. Case No. 550 of 2022 dated 06.09.2023,
lodged under Section 392 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons on which the
allegation of robbery at the shop, namely, Shraddha Swarn
Vatika, situated in Begusarai is there.

5. Learned counsel for the petitioner submits that the
F.I.R. has been lodged against unknown accused persons in
which the name of the petitioner is not there. Counsel submits

that nothing incriminating has either been recovered nor he was put on T.I.P. Counsel further submits that the other co-accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 04.05.2023 and 24.06.2023 passed in Cr. Misc. No. 11561 of 2023 and Cr. Misc No. 32328 of 2023 respectively.

6. Learned counsel for the petitioner further submits that the Section in which the petitioner has been charged *i.e.* Section 392 of the I.P.C. is magisterial triable in nature.

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 Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 550 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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