

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44983 of 2023

Arising Out of PS. Case No.-196 Year-2021 Thana- CHAUTHAM District- Khagaria

SANJAY SINGH @ SANJAY KUMAR Son of Brahamdeo Singh Resident of
village - Amani, P.S. - Mansi, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 22-09-2023 Heard the parties.

2. The petitioner is in custody in connection with S.T. No. 40 of 2022 arising out of Chautham P.S. Case No. 196 of 2021 for the offence under Section 395 of the Indian Penal Code, subsequently added 412 of the Indian Penal Code lodged on 10.09.2021 by the informant, Kundan Kumar Singh.

3. As per the prosecution story, the petitioner alongwith other accused persons committed *dacoity* in the house of the informant and it is alleged that altogether Rs. 3 lakhs 50 thousand as well as ornaments were looted. Accordingly, the FIR.

4. Earlier the case of the petitioner was heard and rejected on 30.08.2022 in Cr. Misc. No. 18701 of 2022.

5. Again, a fresh application has been preferred whereafter a report was called for, which has since been



received vide Letter no. 163 dated 12.09.2023 according to which, four out of six witnesses were examined.

6. Considering the submission of the learned Counsel for the petitioner, he is in custody since 25.09.2021 (as stated in paragraph 7 of the bail application) and others have been granted bail (Annexure 3 series) as also is ready to diligently appear in trial on each and every date, this Court is inclined to extend him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Court of Session Judge, Khagaria in connection with S.T. No. 40 of 2022 arising out of Chautham P.S. Case No. 196 of 2021 subject to the following conditions:

(i) both the bailors should be the family members of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month till the conclusion of the trial to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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