

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49702 of 2023

Arising Out of PS. Case No.-376 Year-2022 Thana- SHERGHATI District- Gaya

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Chandan Kumar Singh @ Chandan Singh @ Chandan Kumar S/O Sanjay Singh R/O Village- Indira Nagar, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sherghati P.S. Case No.376 of 2022 lodged under Sections 364(A), 395 of the Indian Penal Code.

3. Counsel for the petitioner submits that bail application of the petitioner, along with the another co-accused person Manish Kumar, was rejected by this Hon'ble Court vide order dated on 24.12.2022 in Cr. Misc. No.48376 of 2022.

4. Counsel further submits that petitioner is the owner of the hotel from where the accused persons were found and on the suspicion the name of the petitioner figured in this case. Counsel submits that the person, whose name has directly come in this case and due to this reason the bail was rejected. Counsel

further submits that the other co-accused petitioners have been granted bail by the Co-ordinate Bench of this Court which is Annexure-3 series. He submits that petitioner's antecedent is clean.

5. Learned counsel for the State opposes the prayer for bail but submits that it is true that all the other accused persons have been granted bail by the Co-ordinate Bench of this Court.

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 A.D.J.-III, Gaya, in connection with Sherghati P.S. Case No.376 of 2022, subject to the following conditions:

(i) one of the bailor should be the family member 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 for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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 the bail bonds.

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

(Dr. Anshuman, J.)

Ashishsingh/-

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