

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67361 of 2022

Arising Out of PS. Case No.-100 Year-2021 Thana- GARDANIBAG District- Patna

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SAMAR RAJ @ MONU KUMAR Son of Late Raju Prasad R/O Tikiyatoli
Near Mahendru Post Office, P.S.- Sultanganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 11-01-2023 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 05.04.2021 in connection with Gardanibagh P.S Case No. 100 of 2021 registered for the offence punishable under Sections 392 and 412 of the Indian Penal Code.

The petitioner has moved earlier before this Court for grant of bail vide Cr. Misc. No. 4303 of 2022 which was dismissed on 24.05.2022 considering the criminal antecedent of the petitioner.

It has been submitted by the petitioner that he has been falsely implicated in those cases (mentioned in Paragraph No. 3 of the bail application) as most of the cases have been registered against unknown. It has further been submitted by learned counsel for the petitioner that the prayer of the petitioner



for grant of bail be considered on the ground that the petitioner will not come to Bihar till the conclusion of the cases which are pending against him.

Considering the facts and circumstances of the case and also taken into consideration the undertaking of the learned counsel for the petitioner that the petitioner will not come to Bihar till the conclusion of the cases which are pending against him, the petitioner is granted bail.

Accordingly, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J XVI, Patna in connection with Gardanibagh P.S Case No. 100 of 2021.

Learned counsel for the petitioner has provided the address of the maternal uncle of the petitioner who lives is Surat(Gujrat) where petitioner will stay during the pendency of the trial against him. He has also agreed to participate in the trial virtually and he will not take unnecessary objections in the trial and try to delay the trial. As and when he is required to appear in the trial Court, he will appear virtually from Surat.

It is directed that the petitioner will also appear before the Pandesara Police Station, Surat on first Sunday of the



month. Failure of the petitioner in appearing before Pandesara Police Station, Surat will result in the cancellation of his bail application.

The Officer-In-Charge, Pandesara Police Station, Surat is directed to maintain the record of the appearance of the petitioner and in case, the petitioner fails to appear without any cogent reasons before the concerned Police Station, the same shall be informed to the Magistrate who is conducting trial of the present case i.e. Gardanibagh P.S. Case No. 100 of 2021 in the District of Patna.

The District Judge, Patna is directed to transfer all the cases of the petitioner in one Court so that the trial of the petitioner in all the cases is concluded expeditiously.

In case, the petitioner has some family exigency, he will give an application before the Trial Court conducting the trial of Gardanibagh P.S. Case No. 100 of 2021 who will consider the prayer of the petitioner for visiting Bihar for few days if a genuine ground is made out by the petitioner.

(Sandeep Kumar, J)

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