

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67274 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- GHOSWARI District- Patna

1. Santosh Kumar Son Of Azad Prasad Resident Of Village- Rammurti Nagar,
Police Station- Hilsa, District- Nalanda
2. Jitendra Paswan @ Tusani @ Tushni Paswan Son Of Jagdish Paswan
Resident Of Village-(Bichli Hundari) Bichali Huradi, P.S.- Karai Parsuarai,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Ghoswari P.S. Case No. 30 of 2022 lodged under Sections 379,
461 of the I.P.C.

As per the prosecution case, the unknown criminals
have committed theft after breaking the door of main building.
The allegation of committing theft of ampere power worth Rs. 2
lakh is also there.

Learned counsel for the petitioners submits that

petitioners are innocent and have committed no offence. He submits that name of present petitioners have figured in this case by virtue of the confessional statement of the co-accused.

Counsel further submits that he is in custody since 01.07.2022 having 3 criminal cases pending against him and he is on bail in all the 3 cases.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Barh, District- Patna in connection with Ghoswari P.S. Case No. 30 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners 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 their bail bond.

B. One of the bailors shall be close relative who shall

file affidavit before the court about his relationship with the petitioners.

C. The petitioners 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 their present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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