

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9005 of 2024

Arising Out of PS. Case No.-114 Year-2023 Thana- BACHHWARA District- Begusarai

Santosh Kumar @ Chattan Singh S/o Shyam Kumar R/o Vill - Pidhauri, P.S. -
Teghra, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Bachhwara P.S. Case No.114 of 2023, lodged on 10.04.2023,
under Section 392 of the Indian Penal Code.

3. As per the prosecution, it transpires from the FIR
that petitioner is not named in the FIR.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that his name has figured in this case by virtue of
confessional statement of co-accused. Counsel submits that
since his antecedent is not clean only due to this reason police
has figured his name by virtue of his self-statement. Counsel



submits that confessional statement before the police has no evidentiary value. The petitioner is in custody since 12.10.2023 and is accused in three more criminal cases. Counsel submits that he is ready to fulfill all the conditions whatsoever shall be imposed.

5. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean and at the time of consideration of bail this aspect shall be taken into consideration.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed, and on being satisfied that petitioner is not absconding in the following cases, i.e., (i) Teghra P.S. Case No.354 of 2019, (ii) Bachhwara P.S. Case No.313 of 2022 and (iii) Bachhwara P.S. Case No.09 of 2023**, 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 Bachhwara P.S. Case No.114 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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.

(Dr. Anshuman, J)

Mkr./-

U		T	
---	--	---	--

