

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13794 of 2024

Arising Out of PS. Case No.-713 Year-2022 Thana- PATLIPUTRA District- Patna

Chand Khan @ Sakir Ansari S/o Late Md. Firoz Ansari R/o Mohalla- Digha,
EXTTI PS. Digha, District- Patna at present residing in Rental House of Md.
Atif, Sahab Colony Khajur Banna, P.S.- Sultanganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Anand, Adv.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Patliputra P.S. Case No. 713 of 2022, lodged on 29.10.2022
under Sections 454, 380 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against unknown accused persons against whom there is an
allegation that they have committed robbery in the informant's
flat.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the petitioner is not named in the FIR and his
name has been figured in this case only and only due to the



reason that his criminal antecedent is not clean and there are in total 30 criminal cases pending against him. Counsel further submits that after figuring his name in this case, police has inserted his name in 18 more cases.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is not clean and there are 30 criminal cases pending against him. The petitioner is in custody since 18.01.2023 in the present case. Counsel further submits that nothing incriminating relating to theft material has been recovered from the petitioner's possession nor he was put on TIP in this case. Counsel also submits that charge has already been framed in this case and case is going on at evidence and submits that no purpose shall be solved by keeping the petitioner in custody as he is already facing the trial.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean and there are 30 criminal cases pending against him and this aspect may be taken into consideration while considering the bail application of the petitioner.

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.C.J.M.-X, Patna in connection with Patliputra P.S. Case No. 713 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the 30 cases pending against him whose details are as follows:-

- ◆ Rupaspur P.S. Case No. 340 of 2020
- ◆ Rupaspur P.S. Case No. 356 of 2020
- ◆ Rupaspur P.S. Case No. 357 of 2020
- ◆ Rupaspur P.S. Case No. 381 of 2020
- ◆ Shahpur P.S. Case No. 422 of 2020
- ◆ Shahpur P.S. Case No. 423 of 2020
- ◆ Khagaul P.S. Case No. 164 of 2020
- ◆ Khagaul P.S. Case No. 167 of 2020
- ◆ Khagaul P.S. Case No. 198 of 2020
- ◆ Shashtri Nagar P.S. Case No. 496 of 2020
- ◆ Shashtri Nagar P.S. Case No. 629 of 2022
- ◆ Shashtri Nagar P.S. Case No. 737 of 2022
- ◆ Shashtri Nagar P.S. Case No. 681 of 2022
- ◆ Shashtri Nagar P.S. Case No. 743 of 2022
- ◆ Shashtri Nagar P.S. Case No. 153 of 2022
- ◆ Shashtri Nagar P.S. Case No. 342 of 2022
- ◆ Shashtri Nagar P.S. Case No. 539 of 2022
- ◆ Shashtri Nagar P.S. Case No. 738 of 2022



- ◆ Danapur P.S. Case No. 1065 of 2022
- ◆ Danapur P.S. Case No. 1069 of 2022
- ◆ Danapur P.S. Case No. 1121 of 2022
- ◆ Danapur P.S. Case No. 1146 of 2022
- ◆ Danapur P.S. Case No. 1149 of 2022
- ◆ Danapur P.S. Case No. 1160 of 2022
- ◆ Danapur P.S. Case No. 1183 of 2022
- ◆ Danapur P.S. Case No. 1190 of 2022
- ◆ Rajeev Nagar P.S. Case No. 549 of 2021
- ◆ Rajeev Nagar P.S. Case No. 593 of 2022
- ◆ Rajeev Nagar P.S. Case No. 52 of 2022
- ◆ Digha P.S. Case No. 723 of 2022

(Dr. Anshuman, J.)

Divyansh/-

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

