

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22154 of 2024

Arising Out of PS. Case No.-629 Year-2022 Thana- SHASTRINAGAR District- Patna

Md. Chand Khan @ Sakir Anshari Son Of Late Md. Firoj Ansari Resident Of
Village- Golakpur Near National Institute Of Technology Sultanganj, Ps-
Sultanganj, Dist- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Shastrinagar P.S. Case No. 629 of 2022 instituted for the offence
under Sections 457 & 380 of the Indian Penal Code.

3. Prosecution case in short is that some miscreants
have committed theft in the house of the informant and taken
away Rs. One lakh cash, half Kg silver and 200 grams gold.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 27-04-2023. Petitioner
bears thirty criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation. Nothing has been recovered from the possession of the petitioner. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shastrinagar P.S. Case No. 629 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner commits similar type of offence in future, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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