

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32155 of 2024

Arising Out of PS. Case No.-107 Year-2022 Thana- KANHAULI District- Sitamarhi

Kanhai Singh @ Arvind Singh @ Arvind Kumar Singh son of Late Kailash Singh @ Late Bam Singh Village- Kuari Madan Ps- Mejaroganj Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 27-09-2024 Heard the parties.

2. The petitioner is in custody in connection with Kanhauli P.S. Case No. 107 of 2022 for the offence punishable under sections 414, 420, 467, 468, 489-D and 34 of the Indian Penal Code lodged on 03.07.2022, by the informant, Praveen Kumar.

3. As per the prosecution story, the police official during patrolling duty on information that the smugglers are coming with fake Nepali Currency Notes, machine and chemicals proceeded towards the place of occurrence and apprehended Sushil Kumar Tiwari and Md. Aftab Alam. The apprehended persons named the person who escaped as this petitioner. Further, upon raid of the house of the



Kanhai Singh, Nepali currency notes amongst other were recovered/seized. Accordingly, the F.I.R.

4. It is the contention of the learned counsel for the petitioner that his name has come in the confessional statement of accused who were apprehended by the police namely Sushil Kumar Tiwari and Md. Aftab Alam, further, with the help of paragraph no.13 further submits that he is in custody since 06.06.2023.

5. Learned APP opposes the prayer for bail submitting that he has number of criminal antecedent under his belt.

6. Though, it is the fact that he has criminal antecedent, has remained in custody since 06.06.2023, charge sheet submitted, his name has come in the confessional statement and it has been undertaken by the learned counsel for the petitioner that he will be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sitamarhi, in connection with Kanhauli P.S. Case No. 107 of 2022, subject to the following conditions:

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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 his bail bonds.

(Rajiv Roy, J)

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