

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 84577 of 2023

Arising Out of PS. Case No.-209 Year-2010 Thana- MALSALAMI District- Patna

SANTOSH KUMAR @ LALA SON OF LATE SURESH PRASAD @ LATE
SURESH PRASAD GUPTA R/O VILLAGE- DANIYAWA, P.S.-
DANIYAWA, DIST.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv
For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No. 1129/2023 arising out of Malsalami P.S. Case No. 209
of 2010 registered on 04.11.2010 lodged under Sections 302/34
of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, F.I.R. has been lodged
against unknown accused persons excluding the petitioner.

4. Counsel for the petitioner submits and specifically
pleaded that the F.I.R. is of the year 2010, but for the first time,
police has started searching him in the year 2022 and upon
getting the knowledge, petitioner has preferred anticipatory bail
in the Court below, but subsequently, he was surrendered before



the Court below.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that he is law abiding citizen and is ready to fulfill all the condition. Learned counsel for the petitioner submits that petitioner is ready to fulfill all the conditions, whatsoever, shall be imposed upon him and further submits that petitioner is in custody since 08.05.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail ***upon certification that his antecedent is clean*** and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Patna City in connection with S.Tr. No. 1129/2023 arising out of Malsalami P.S. Case No. 209 of 2010, subject to the following conditions as well as the conditions laid down under Section 437 (3) of the Cr.P.C.

(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)

Sunnykr/-

U			
---	--	--	--

