

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16353 of 2022

Arising Out of PS. Case No.-202 Year-2020 Thana- DARPA District- East Champaran

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KUMUD KUMAR @ SUMODH KUMAR @ ENGINEER @ SAMOD
KUMAR S/O RAMESHWAR SAH @ RAMESHWAR PRASAD R/o Village-
Lakhaura, P.S.- Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-07-2022 Heard learned counsel for the parties through video
conferencing in view of the COVID 19.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Darpa P.S. Case No. 202 of 2020 for the offences under
Section 392 of the Indian Penal Code.

Allegation in the FIR is that he tried to loot the
informant and in the process took away around one lakh as also
the tablet and bio-metric device. The petitioner upon arrest has
confessed to the crime before the police.

Learned counsel for the petitioner submits that
chargesheet stands submitted and he has suffered a lot by being



in jail since 29.07.2021(as stated in paragraph-12 of the bail application). He however, admits that the petitioner has criminal antecedent which reflects from paragraph-3 of the bail application.

Taking into account the aforesaid facts that chargesheet stands submitted and he is in jail since 29.07.2021, this Court is inclined to grant him privilege of bail but with strict conditions in view of the fact that he has criminal antecedent of the same nature that he is having.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of like amount each to the satisfaction of Judicial Magistrate, 1st Class, Raxual at Motihari in connection with Darpa P.S. Case No. 202 of 2020, 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 reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police



station every fortnight for next six months to mark his presence;

(iv) 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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