

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16382 of 2022

Arising Out of PS. Case No.-48 Year-2021 Thana- TARABARI District- Araria

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Jitendra Rathore @ Jitendra Sharma S/o Shivilal Rathor Resident of Village-
Binodpur, Doriyare, Ward No.-8, P.S.-Bounsi, District-Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-07-2022 Heard learned counsel for the petitioner and the State.

The petitioner is in judicial custody in connection
with Tarabari P.S. Case No. 48 of 2021 under sections 392, 397
and 411 of the Indian Penal Code.

The allegation against him is that he along with his
associates intercepted the informant and relieved him of his
motorcycle as also the other belongings.

The learned counsel for the petitioner submits that
despite the fact that the informant had explained about the
personality of the accused persons who intercepted and snatched
his belongings including the motorcycle. He further submits that
no TIP has yet been held despite the fact that the petitioner is in
custody since 22.6.2021(as stated in para-1 of the bail
application). He lastly submitted that the other accused persons



implicated in this case have since been granted the privilege of bail by a coordinate bench of this Court on 30.3.2022 in Cr. Misc. No. 51710 of 2021. Let the order be kept on record.

Taking into account the aforesaid fact including the fact that charge-sheet stands submitted and he is in custody since 22.6.2021, this Court is inclined to grant him the privilege of bail but with some strict conditions in view of the fact that he is having criminal antecedent.

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 learned A.C.J.M.-III, Araria, in connection with Tarabari P.S. Case No. 48 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members 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) he 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 his 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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