

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16947 of 2022

Arising Out of PS. Case No.-309 Year-2021 Thana- BHAGWANPUR District- Vaishali

Prakash Kumar @ Golu Son of Shri Umesh Sahani Resident of Village-
Laxmi Narayanpur Tola, Vilanpur, P.S.- Lalganj, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Gulnar Begum, APP

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 custody in connection with
Bhagwanpur P.S. Case No. 309 of 2021 under section 392 of the
Indian Penal Code.

The allegation against him is that of snatching
motorcycle and other belongings of the informant.

Learned counsel for the petitioner submits that there
has not been any recovery from his possession, the motorcycle
has still not been recovered and he is in jail since 23.1.2022 (as
stated in para-15 of the bail application). He further submitted
that the petitioner is a student of intermediate studying in
Lalganj Inter College, Vaishali and has also appeared in the
intermediate annual examination in 2022 held by the Bihar



School Examination Board, Patna with the permission/order of the learned ACJM-1, Vaishali. He as such submits that despite the fact that he has been implicated in criminal cases, he may be given a chance to better himself and move towards the studies.

Taking into account the fact that the petitioner is a student and do have future, he is in jail since 23.1.2022 and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bhagwanpur P.S. Case No. 309 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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