

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17080 of 2022

Arising Out of PS. Case No.-180 Year-2021 Thana- BARH District- Patna

Harsh Kumar Kaushik @ Baba Son of Ajay Tiwari Resident of Village -
Panchshil Nagar, Police Station - Barh, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate
For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioner and the State.

The petitioner who is having five criminal cases of the same nature against him is in judicial custody in connection with Barh P.S. Case No. 180 of 2021 under section 392 of the Indian Penal Code.

The allegation in the FIR is against unknown. The informant has alleged that when his vendor Pappu Dev Chaurasiya was distributing gas cylinder in the church road, Barh, the two accused persons looted him and decamped with Rs. 16,182/-. Subsequently, name of the petitioner cropped up in course of the investigation and is in jail since 12.8.2021 (as stated in para-11 of the bail application).

Taking into the aforesaid facts that the charge-sheets stands submitted and the petitioner is in custody since



12.8.2021, this Court is inclined to grant him the privilege of bail with certain conditions in view of the fact that he has five criminal antecedents.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-Ist, Barh, Patna, in connection with Barh P.S. Case No. 180 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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