

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18115 of 2022

Arising Out of PS. Case No.-130 Year-2019 Thana- BACHHWARA District- Begusarai

ABHISHEK KUMAR @ ABHISHEK KUMAR PODDAR Son of Anil Poddar @ Anil Kumar Poddar Resident of village - Lokhathpur Gang Road Ward No.- 11, P.s.- Dalsinghsarai, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 30-08-2022 Heard learned counsel for the petitioner and learned counsel for the State.

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 Bachhwara P.S. Case No. 130 of 2019 for the offences under Sections 394 and 120(B) of the Indian Penal Code.

As per the allegation in the FIR, unknown persons intercepted the informant, who was carrying milk on his pick-up van and after assaulting him, they took away the said pick-up van.

Learned counsel for the petitioner submits that only because he had criminal antecedent, he has been implicated in



this case and despite the fact that he is in custody since 14.01.2022 (as stated in paragraph-13 of the bail application, no T.I. Parade has been done.

Considering the aforesaid fact that the petitioner is in custody since 14.01.2022 and there has not been any T.I. Parade as also the fact that charge sheet stands submitted, this Court is inclined to grant him the privilege of bail with strict conditions in view of the fact that he has criminal antecedent.

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 Chief Judicial Magistrate, Begusarai in connection with Bachhwara P.S. Case No. 130 of 2019, 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 month for one year 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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