

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18671 of 2022

Arising Out of PS. Case No.-39 Year-2021 Thana- PUNAURA District- Sitamarhi

KAMLESH KUMAR SON OF LAKSHMAN RAI RESIDENT OF
VILLAGE- BHANDARI, P.S. BELSAND, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 02-08-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Sessions Trial No.228/2021 arising out of Punaura P.s.
Case No.39/2021 instituted under Section 395 and 412 of the
Indian Penal Code.

The allegation in the FIR is that when he was moving
on a motorcycle he was intercepted by the accused persons and
after pointing pistol towards him, they decamped with the
motorcycle as also two mobiles and Rs.2000/-.

Subsequently, the name of the petitioner cropped up
in course of investigation and is in custody since 07.08.2021 (as
stated in para-15 of the bail application). He submits that only



because he has criminal antecedent he has been implicated in this case.

Considering the submissions put forward by the learned counsel for the petitioner as also the fact that he is in custody since 07.08.2021 and charge-sheet stands submitted, this Court is inclined to grant him privilege of bail with certain 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/- (Rupees Ten Thousand) with two sureties of the like amount each in connection with Sessions Trial No.228/2021 arising out of Punaura P.s. Case No.39/2021 to the satisfaction of learned Additional District Judge-V, Sitamarhi, subject to 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 cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the Trial to



mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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