

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24494 of 2022

Arising Out of PS. Case No.-56 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Raj @ Raj Shekher @ Raj Shekhar Son Of Amarnath Sahni @ Abnindra
Mukhiya @ Abnindr Mukhiya R/O Village- Gadhpura, Ward No.12, P.S.-
Gadhpura, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The allegation in the FIR is that while the
informant was returning to his home from Bakhari, four
unknown accused persons on two motorcycles armed variously
stopped him near Kolhapur bridge and after causing injury to
him, snatched Rs. 9060/- cash as also Pan Card, Aadhar Card,
Vehicle registration card, driving license and the mobile. Later,
they fled away from the place of occurrence. He was brought to
the clinic of Dr. A.K. Goswami and from where he was referred
to P.HC., Nowkothi for further treatment.



Learned counsel for the petitioner has brought to this Court's attention to paras- 11, 12, 13 and 14 to the bail application to show that the motorcycle was recovered from Balram Jha and Ravish Kumar. They further disclosed the name of this petitioner and on the basis of which, he has come into judicial custody. He submits that although he has been named in this case, yet there has not been any recovery from his part as also the fact that no Test Identification Parade has been conducted. He lastly submits that he is in custody since 20.7.2021 (as stated in para-15 of the bail application).

Taking into account the aforesaid facts as also the fact that there has not been recovery from the petitioner herein, No TIP has been done and charge-sheet stands submitted, this Court is inclined to grant him the 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/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai, in connection with Nowkothi P.S. Case No. 56 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 one year to mark his presence;

(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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