

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25179 of 2022**

Arising Out of PS. Case No.-375 Year-2018 Thana- MADHAURAH District- Saran

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TINKU KUMAR @ TINKU KUMAR SINGH @ TINKU SINGH Son of
Late Mainu Singh Resident of village - Pirauta, P.S.- Baniyapur, District -
Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-08-2022 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 Madhapura (Gaura O.P.) P.S. Case No. 375 of 2018 for the
offences under Section 392 of the Indian Penal Code.

As per the allegation in the FIR, the informant who
was an employee of the Bandhan Bank was returning after
collection when on gun point, the bag was snatched and it is
alleged that Rs. 13,290/- and a mobile was snatched. He further
alleged that all the criminals were between the age of 20-24
years. They later fled towards the Gopalpur village.



Learned counsel for the petitioner submits that his name has come up in the confessional statement of accused, Mukesh Ram but nothing has been recovered/seized from him. He further submits that the said accused, Mukesh Ram has since been released on bail by a co-ordinate Bench of this Court in Cr. Misc. No. 26091 of 2019 on 07.05.2019 (as contained in Annexure-2 to the bail application).

Considering the fact that the name of the petitioner has come in the confessional statement of accused, Mukesh Ram and he is in custody since 03.04.2021 (as narrated in paragraph 14 of the bail application) coupled with the fact that co-accused, Mukesh Ram on whose confessional statement petitioner was implicated in this case has since been released on bail 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. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Madhaura (Gaura O.P.) P.S. Case No. 375 of 2018, 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 fortnight for one year to mark his presence;

(iv) 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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