

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25104 of 2022

Arising Out of PS. Case No.-121 Year-2021 Thana- BHAPTIAHI District- Supaul

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Tuntun Kumar Son of Devram Thakur Resident of Village - Tharbitta , P.S.-
Kishanpur, Distt.- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-08-2022 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 petitioner is in custody in connection with
Bhaptiyahi P.S. Case No. 121 of 2021 under section 302, 34 of
the Indian Penal Code.

As per the allegation in the FIR, the informant who
works in a financial Company was carrying Rs. 50, 650/-. When
he reached NH-56, three persons on a motorcycle caught hold of
vehicle's handle and after pointing revolver towards him,
snatched the said amount as also the mobile. Further allegation
is that they also took all his documents which was inside it.
Accordingly, FIR was lodged against unknown. Subsequently,



during the course of the investigation, name of the petitioner cropped up and looted mobile was recovered/seized from his possession.

Considering the fact that the petitioner is in custody since 28.11.2021 (as stated in para-12 of the bail application) and he has no criminal antecedent as also the fact that he is 19 years old boy and to give chance to reform himself, this Court is inclined to grant him the privilege of bail. If however it is found that he do have criminal antecedent, this bail order shall become infructuous.

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 Chief Judicial Magistrate, Supaul, in connection with Bhaptiyahi P.S. Case No. 121 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) 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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