

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25397 of 2022

Arising Out of PS. Case No.-451 Year-2021 Thana- BARAUNI District- Begusarai

Devbratt Kumar @ Deobratt Kumar, Son of Rajkishor Singh @ Rajkishore
Singh Resident of Village - Ramdiri , Nakti Tola, Ward no.05, P.s.- Matihani,
Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2022 Heard Mr. Sandip Kumar Gautam, learned counsel for
the petitioner and 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 Barauni P.S. Case No.451 of 2021 instituted under Section
392 of the Indian Penal Code.

The allegation in the FIR is that the informant while
going to report for his duty at Barauni Refinery, the unknown
accused persons intercepted and after threatening looted his
motorcycle. Accordingly, the FIR was lodged.

Subsequently, during investigation, one Bipin Kumar



was taken into custody by the police on whose confession the house of the petitioner here was raided and the said motorcycle was recovered/seized.

Learned counsel for the petitioner submits that it is a common house and does not belong exclusively to him and as such he has been falsely implicated in this case. He further submits that despite the fact that he was arrested on 13.01.2022, till the filing of the bail application, no T.I. Parade was done. He lastly submits that save and except the case under Section 307 of the I.P.C., he does not have any other criminal antecedent.

Taking into account the fact that the petitioner is in custody since 13.01.2022 (as stated in para-10 of the bail application), the charge sheet stands submitted, no TIP has been done, this Court is inclined to grant him privilege of bail with 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 Barauni P.S. Case No.451 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Begusarai, 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 for next 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 steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

U		T	
---	--	---	--

