

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25487 of 2022

Arising Out of PS. Case No.-184 Year-2021 Thana- HASPURA District- Aurangabad

Mandal Banjara Son Of Late Hari Charan Banjara R/O Village- Jorawarganj,
P.S.- Kodha, District- Katihar (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2022 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 Haspura P.S. Case No. 184 of 2021 for the offences under
Section 392 of the Indian Penal Code.

The petitioner, who has five other criminal cases in
similar nature under his belt has come into judicial custody in
which the allegation is that a retired person, Mr. Vijay Sharma
withdrew a sum of Rs. 40,000/- from Punjab National Bank,
Haspura Branch. The same was snatched by the motorcycle
borne accused persons. Subsequently, the petitioner came into
judicial custody in other criminal case in which he confessed his



crime in this case also and accordingly, he was remanded on 21.02.2022 (as stated in paragraph-7 of the bail application).

Learned counsel for the petitioner submits that the petitioner is a labourer and his implication has made to starvation in his family. He further submits that although he is in custody since 21.02.2022, neither there has been any recovery from his possession nor any T.I. Parade has been done which he has stated in paragraph-8 of the bail application.

Taking into account the fact that he is in custody since 21.02.2022 and neither any T.I. Parade has been done nor anything has been recovered from his possession, this Court is inclined to grant him the privilege of bail with strict 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 SDJMJ, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 184 of 2021, 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 till the conclusion of the trial to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(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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