

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25205 of 2022

Arising Out of PS. Case No.-4 Year-2019 Thana- CHAKARANDHA P.S. District- Gaya

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Guddu Kumar @ Om Shashi Ranjan Kumar, Son of Darogi Bhokta @ Darogi Singh @ Darogi Singh Bhokta Resident of Village - Tarchua, P.S.- Chhakarbandha, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and the learned APP for the State through virtual mode in view of COVID-19.

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 Chhakarbandha P.S. Case No.04/2019 instituted under Section 379 of the IPC.

As per the allegation, the informant had parked his motorcycle outside his house and took passenger vehicle to the customer. Next morning, his mother found the vehicle missing, accordingly FIR was lodged against unknown.

Later the police upon information apprehended Dularchand Kumar from whose possession the motorcycle was



recovered/seized. He in his confessional statement gave the name of the petitioner herein whereafter he also came into judicial custody.

Learned counsel for the petitioner submits that he had absolutely no concern with the said incident, is a young boy of 20 years and pursuing his studies but the police for oblique reason has dragged him in this case. As a result whereof, he is in custody since 29.11.2021 (as stated in para-11 of the bail application).

Taking into account the aforesaid facts that the recovery of the vehicle has been made against Dularchand Kumar and on his confessional statement the name of the petitioner has come as also the fact he is in custody since 29.11.2021 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/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Chhakarbandha P.S. Case No.04/2019 to the satisfaction of learned SDJM, Sherghati, Gaya, 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 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 steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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