

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26747 of 2022**

Arising Out of PS. Case No.-136 Year-2021 Thana- PHULWARIA District- Begusarai

Shivam Kumar @ Chhotu Son Of Lalan Kumar @ Doman Singh @ Lalan Singh R/O Village- Bihat, Ibrahimpur Tola, Ward No.- 28, P.S.- Barauni, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and the 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 in judicial custody in connection with Phulwaria P.S. Case No.136 of 2021 instituted under Sections 392, 397, 411, 414, 465, 477 of the IPC.

As per the allegation in the FIR, the informant has alleged that he along with his wife was going to attend the Janamasthami fair when accused persons intercepted and on the point of pistol looted the motorcycle and the mobile.

Learned counsel for the petitioner submits that he is innocent and his name has come in the confessional statement of Saurav Kumar, although nothing has been recovered from his



possession nor any T.I. Parade has been done.

Considering the fact that he is in custody since 01.01.2022, his name has come in the confessional statement of Saurav Kumar no T.I. Parade has been done and charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let both the petitioners 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 Phulwaria P.S. Case No.136 of 2021 to the satisfaction of learned Additional Chief Judicial Magistrate, Ist Class, 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 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 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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