

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27158 of 2022

Arising Out of PS. Case No.-311 Year-2021 Thana- BARBIGHA District- Sheikhpura

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DILIP KUMAR S/o Umesh Yadav Resident of Village- Akbarbigha, P.S.-
Barbigha, District- Sheikhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2022 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 case is registered under sections 414 and 224
of the Indian Penal Code in connection with Barbigha P.S. Case
No. 311 of 2021.

As per the allegation in the FIR, the police officials
upon secret information raided the house of accused-petitioner
and it is alleged that two motorcycles were recovered from the
house. As no valid papers were produced, the same were seized
but the petitioner managed to jump from the roof and escaped.

Learned counsel for the petitioner submits that it is
common house and any recovery from the said house cannot be



attributed to him. He however accepts that he has criminal antecedent and only because of which, he was taken into custody and he is in custody since 4.3.2022 (as stated in para-20 of the bail application).

Taking into account the aforesaid facts that the recovery/seizure was from a common house, the petitioner is in custody since 4.3.2022 and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail after framing of charges.

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, Sheikhpura, in connection with Barbiga P.S. Case No. 311 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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