

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27081 of 2022

Arising Out of PS. Case No.-291 Year-2021 Thana- BELDOUR District- Khagaria

Priyanshu Kumar. Son Of Pradeep Kumar Sharma R/O- Village- Purab Sarai
P. S.- Kotwali, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-08-2022 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 is in judicial custody in connection
with Beldaur P.S. Case No.29/2021 instituted under Sections
356, 379 of the Indian Penal Code.

As per the prosecution story, the informant working in
LNT Company, Maheshkhunt Branch alleged that after
collection of money when he was returning home, accused
persons apprehended him and snatched Rs.1,23,300/- as also
device machine and mobiles having two SIM Cards. They also
snatched the key of the motorcycle and threw it away whereafter
they escaped from the place of occurrence.

Learned counsel for the petitioner submits that



nothing has been recovered from his possession. However, foolishly considering that the mobile which he wanted to purchase is genuine, he used his SIM for sometime in it for which he was made an accused in the case. He submits that he had not role in the matter and only because of the use of the stolen mobile, he has come into judicial custody despite the fact that he has no criminal antecedent. He lastly submits that the petitioner is in custody since 02.03.2022 (as stated in para-13 of the bail application).

Taking into account the aforesaid fact that the petitioner has clean antecedent, is in custody since 02.03.2022 and the charge sheet stands submitted, this Court is inclined to grant him privilege of bail. However, if it is found that he do have criminal antecedent, this bail order shall become infructuous.

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 Beldaur P.S. Case No.291/2021 to the satisfaction of Smt. Pallwi Anand, learned Judicial Magistrate, Ist Class, Munger, 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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