

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28022 of 2022

Arising Out of PS. Case No.-274 Year-2019 Thana- KHAIRA District- Jamui

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ROHIT SAW Son of Rajesh Saw @ Rajeshwar Saw Resident of Village -
Singarpur, P.S. Khaira, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-08-2022 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 Khaira P.S. Case No. 274 of 2019 for the offences under
Sections 392/34 of the Indian Penal Code.

The matter relates to loot of two motorcycles and in
the said occurrence one co-accused, Rakesh Kumar was
immediately arrested and he confessed that the other accused,
who drove away the other motorcycle was the petitioner herein
Rohit Kumar.

Learned counsel for the petitioner submits that he was
not apprehended from the spot and his name has come in this



case on the confessional statement made before the police. He was in custody since 24.12.2020 in another case from which he has been remanded in this case on 17.02.2022 and since then he is languishing in jail.

Considering the period of incarceration, 17.02.2022 as also that charge sheet stands submitted, this court is inclined to grant him the privilege of bail after framing of the charges with strict conditions in view of the fact that he has criminal antecedents.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 274 of 2019, 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 month till the conclusion of the trial 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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