

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28452 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- MAHINDWARA District- Sitamarhi

RAHUL KUMAR Son of Braj Kishor Mandal Resident of Village - Korlahia,
Ward No.- 6, P.S.- Mahindwara, District - Sitamarhi 843117.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under section 394 of the
Indian Penal Code, in connection with Mahindwara P.S. Case
No. 19 of 2022.

The informant alleges in the FIR that while he was
returning from Muzaffarpur, he was intercepted by the accused
persons and after assaulting him, snatched his motorcycle,
mobile and Rs. 3200/- and fled away from the scene.

Learned counsel for the petitioner submits that his
name has come up in the confessional statement of co-accused
whereafter the police forced him to make confession before



them and accordingly is in custody since 21.3.2022 (as stated in para-11 of the bail application). He submits that despite being in custody for long neither T.I. Parade has been done nor anything has been recovered from his possession.

Learned counsel for the State on the other hand submits that upon arrest, he made confession accepting his guilt.

Considering the aforesaid fact that he is in custody since 21.3.2022, no T.I. Parade has been done nor anything has been recovered from his conscious possession and he has clean antecedent as also the fact that the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail. However, if it is found that he do have criminal antecedent and or false statements have been made on T.I. Parade or recovery, this bail order shall become infructuous.

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, Sitamarhi, in connection with Mahindwara P.S. Case No. 19 of 2022 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)

Ravi/-

U		T	
---	--	---	--

