

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33062 of 2022

Arising Out of PS. Case No.-104 Year-2018 Thana- KUDHNI District- Muzaffarpur

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Arun Rajak @ Arun Chaudhary, Son of Late Ganga Chaudhary Resident of
Village - Dwarikapur, P.s.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and the

learned APP for the State through virtual mode in view of

COVID-19.

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 Kudhani P.S. Case No.104/2018 instituted under Section

392 of the IPC.

As per the allegation in the FIR, the informant, the

driver of pick-up van while going from Muzaffarpur to Lalganj

was overtaken by three persons who looted his van after

assaulting him. Accordingly, the FIR was lodged. The name of

the petitioner came up in course of investigation and he chose to

walk into the said custody only four years later on 23.01.2022,

the FIR being of 2018.



Learned counsel for the petitioner submits that some others have been granted bail.

Be that as it may, considering the attitude of the petitioner, although initially the Court was not inclined to grant him privilege of bail but as others who came and have got the liberty, let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Kudhani P.S. Case No.104/2018 to the satisfaction of learned A.C.J.M., Ist, West Muzaffarpur, 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 till 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 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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