

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33131 of 2022

Arising Out of PS. Case No.-540 Year-2021 Thana- JAGDISHPUR District- Bhojpur

Chhotu Kumar, Son of Raj Kumar Prasad, Resident of Village - Brahmpur,
P.s.- Brahmpur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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 Jagdishpur P.S. Case No.540 of 2021 instituted under
Section 392 of the I.P.C.

The allegation made by the informant is that on
24.12.2021 while he was returning home after completion of
work, he was intercepted by the accused persons who snatched
motorcycle, mobile, cash of Rs.22,000/-, the keys of the bank
and important articles.

During the investigation, one Bihari Choudhary was
arrested with the looted mobile and on his confessional



statement, the name of the petitioner cropped up and he is judicial custody since 25.01.2022.

Learned counsel for the petitioner submits that despite he being in custody since 25.01.2022 neither anything has been recovered from his conscious possession nor he has been put on T.I. Parade.

Considering the aforesaid facts that his name has come in the confessional statement, there is no recovery from his possession, no T.I. Parade done and he is in custody since 25.01.2022, this Court is inclined to grant him privilege of bail with conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs.15,000/-(Rupees Fifteen Thousand) with two sureties of the like amount each in connection with Jagdishpur P.S. Case No.540 of 2021 to the satisfaction of learned ACJM, Ist, Bhojpur at Ara, 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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