

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36473 of 2022

Arising Out of PS. Case No.-189 Year-2020 Thana- GOPALPUR District- West Champaran

Arvind Kumar Mishra @ Arvind Kumar, Son of Narad Mishra Resident of
Village - Panditpur, P.S.- Paharpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-09-2022 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 Gopalpur P.S. Case No.189 of 2020 instituted under
Section 392 of the Indian Penal Code.

As per the FIR, the informant written information
before Gopalpur P.S. stating therein that in the night of
24.11.2020, the tractor driver namely Madhai Majhi was coming
from the Bettiah and as the said tractor reached near Ghogha
plant, four unknown accuseds stopped him and after assaulting
the tractor driver took away the tractor. Accordingly, the present
FIR has been lodged.

Learned counsel for the petitioner submits that



petitioner is in custody since 06.04.2022 but no T.I. Parade has been done nor anything has been recovered from his conscious possession and some of the similar situated accused persons have been released on bail.

Taking into account the fact that the petitioner is in custody since 06.04.2022 but no T.I. Parade has been done nor anything has been recovered from his conscious possession and further some of the similar situated accused persons have been released on bail vide Annexure-2 Series by the co-ordinate Bench, this Court is inclined to grant him privilege of bail.

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 Gopalpur P.S. Case No.189 of 2020 to the satisfaction of learned Additional District & Sessions Judge, Vth, Bettiah, West Champaran in Gopalpur, 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) he shall leave the District of West Champaran and shall mark his attendance (in the police station under whose jurisdiction he will remain for a month) every week till his



return to the West Champaran. He shall provide his place of residence and police station where he will stay for a month;

(iii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iv) after his return to West Champaran, the petitioner shall appear before the concerned police station every fortnight for next six months to mark his presence;

(v) 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)

Prakash Narayan /-

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