

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36427 of 2022

Arising Out of PS. Case No.-116 Year-2022 Thana- KATIHAR NAGAR District- Katihar

Vishal Kumar @ Vishal Rishi Son Of Kameshwar Rishi Resident Of Mohalla-
Bari Durga Asthan, Vijay Nagar, P.S.- Nagar, District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Musowir, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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 Town (Sahayak) P.S.
Case No. 116 of 2022.

As per the prosecution story, the informant has
alleged that while he was going to his native place, two accused
persons surrounded him and at the point of knife, snatched his
ornaments and one mobile as well as Rs. 7200/-

Learned counsel for the petitioner submits that
although he is in custody since 12.3.2022, no T.I. Parade has
been done. He however, concedes that the knife was recovered



from his house. His further submission is that he has no criminal antecedent.

Considering the fact that the petitioner is in custody since 12.3.2022, no T.I. Parade has been done and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail after framing of charges. However, if it is found that he do have criminal antecedent, 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, Katihar, in connection with Town (Sahayak) P.S. Case No. 116 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/Ajay Singh

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