

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36478 of 2022

Arising Out of PS. Case No.-51 Year-2022 Thana- KOCHAS District- Rohtas

Mithun Choudhary, Son of Late Shyam Naraian Choudhary, R/O- Vill-
Amaisi Dehra, P.S.- Kochas, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surender Prasad Singh, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, 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 Kochas P.S. Case No.51 of 2022 instituted under Sections
457, 380 and 411 of the Indian Penal Code.

As per the FIR, the informant received information
from his neighbours that the thieves have entered in his house.
Upon this information, he reached there and found that the
villagers have surrounded his house. The informant informed
the Administration, who entered the house, after breaking the
lock and found that one person is hiding there. It was the
petitioner herein. Meanwhile, police came and the FIR was
lodged.



Learned counsel for the petitioner submits that he has already suffered due to said act by being in custody since 21.02.2022 and also received good beating by the villagers.

Taking into account the fact that the petitioner is in custody since 21.02.2022 and the charge sheet stands submitted, 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 Kochas P.S. Case No.51 of 2022 to the satisfaction of learned A.C.J.M., Ist, Rohtas at Sasaram, 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 Rohtas 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 Rohtas;

(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 Rohtas, 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 /-

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

