

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40471 of 2022**

Arising Out of PS. Case No.-61 Year-2022 Thana- DHANSOI District- Buxar

Gorakh Ram @ Gorakh Kumar @ Gorakh Kumar Ram, Son of Late Sudama
Ram Resident of village- Hakimpur, P.S- Itarhi, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 13-10-2022 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 Dhansoi P.S. Case No.61 of 2022 instituted under Section
392 of the Indian Penal Code.

As per the prosecution story, the informant has
alleged that motorcycle borne accused persons on the point of
pistol snatched his mobile and fled away. Subsequently, during
investigation, one Gopal Kumar was apprehended and from his
possession the said mobile was recovered. Further on his
confessional statement, the name of the petitioner herein
cropped up and accordingly he has also come into judicial



custody and is in jail since 03.04.2022.

Learned counsel for the petitioner submits that despite being in jail since 03.04.2022, neither any T.I. Parade was conducted nor anything recovered from his possession.

Per contra, learned APP submits that he do have criminal antecedent and as such have opposed the bail.

Considering the period of custody (03.04.2022), the recovery is from Gopal Kumar, no T.I. Parade conducted, nothing recovered from his conscious possession, 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.15,000/-(Rupees Fifteen Thousand) with two sureties of the like amount each in connection with Dhansoi P.S. Case No.61 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Buxar, 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 reason will entail cancellation of his/her



bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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 the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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