

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58629 of 2021**

Arising Out of PS. Case No.-46 Year-2021 Thana- SIKANDRA District- Jamui

Suraj Kumar, Son of Late Arjun Yadav, Resident of Mohalla Mitthi Kuan,
Sikandra, P.S. Sikandra, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Adv.

For the Opposite Party/s : Mr.Zainul Abedin, APP

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

2 12-04-2022 Heard learned counsel for the parties.

Sikandra P.S. Case No.46 of 2021 was lodged under
Sections 392, 412 of the Indian Penal Code.

As per the written application of the informant, after
withdrawal of Rs.1,35,000/- from the Bank of India, Sikandra
Branch as he was proceeding towards his home by bus and as he
got down from the bus and was on foot to his house, two
persons on a motorcycle threatened him to part away with the
amount or face dire consequences. He had no option but to hand
over the bag to the accused persons but he was able to read the
registration number of the motorcycle and that became part of
the FIR and it was in this way that the accused persons
including the petitioner herein came into judicial net.

The learned counsel for the petitioner submits that
FIR is against unknown and further he is not the owner of the



motorcycle and he lastly submits that he is in jail since 21.02.2021 and as such he may be granted the privilege of bail.

Taking into account the aforesaid facts, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each in connection with Sikandra P.S. Case No.46 of 2021 to the satisfaction of learned Judicial Magistrate, Ist Class, Jamui, subject to following conditions:

(i) the learned court below shall ascertain the ownership of the motorcycle (BR-53B/5911) to confirm the statement made by the learned counsel for the petitioner that he does not own that motorcycle and or the ownership of the said vehicle is not in his or his family member's name;

(ii) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(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 reasons will entail his cancellation of bail by the Trial court itself;

(iv) the petitioner shall appear before the concerned police station every one and half months to mark his presence;



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

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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