

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50221 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- KARAHGAR District- Rohtas

=====

ASHOK KUMAR S/o Chandrika Paswan Resident of Village- Sirisiya, P.S.-
Karghar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

As per the prosecution story, the informant Satish
Kumar who is running a hardware shop M/s Patel Machinery
and Service Centre, after shutting his shop, was returning to his
home when one Golu Kumar asked him to wait for some time so
that both of them can return together.

In the meantime, some unknown accused persons
put pistol on him and took away Rs. 1,06,000/- as also mobile.
Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that
although on the basis of the FIR, he has been taken into custody



and is in jail since 30.1.2022 (as stated in the bail application). No TIP has been done nor there is any recovery as would reflect from para-8 of the bail application. However, he concedes that he do have criminal antecedent.

Taking into account the period of custody, charge-sheet stands submitted, there was no recovery from the part of the petitioner as also no TIP has been done, this Court is inclined to grant him the privilege of bail.

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 Additional Sessions Judge-V, Rohtas at Sasaram, in connection with Karghar P.S. Case No. 28 of 2022 (S.T. No. 154 of 2022) subject to the 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 his 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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

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

