

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50611 of 2022

Arising Out of PS. Case No.-147 Year-2022 Thana- BUDDHACOLONY District- Patna

PRINCE KUMAR @ RAHUL KUMAR S/o Ram Pravesh Thakur R/o
Mohalla- Golghar Chauraha, P.S.- Buddha Colony, District- Patna
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and the learned
APP for the State through virtual mode in view of COVID-19.

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
Buddha Colony P.S. Case No.147 of 2022 instituted under Section
379 of the Indian Penal Code.

As per the FIR, the informant has alleged that in the
morning, when he came out his house he did not found his
motorcycle. On CCTV footage, it can be seen that a boy is taking
away the said motorcycle. When the said CCTV was shown to the
local people, they identified the person concerned, which was was
the petitioner herein. Accordingly, police started investigation and the
petitioner was taken into custody.

Learned counsel for the petitioner submits that for the said
alleged act, he has already suffered by being in custody since



09.04.2022. It is his further submission that if enlarged on bail, he will try to make his life simple so that there is no further implication is any criminal case.

Taking into account his age being 22 years, as also that charge-sheet stand submitted and he is in custody since 09.04.2022 (as stated in paragraph-14 of the bail application), this court is inclined to grant him privilege of bail with strict conditions considering the fact that he has criminal antecedent of almost same nature.

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 Buddha Colony P.S. Case No.147 of 2022 to the satisfaction of learned Sub-Judge,II-cum-Additional Chief Judicial Magistrate,IInd, Patna, 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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