

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50512 of 2022

Arising Out of PS. Case No.-197 Year-2022 Thana- AKBARPUR District- Nawada

ROUKY KUMAR Son of Rajesh Paswan R/V- Bangali Bigha , P.s- Chandauti
Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Sharma, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard Mrs. Rashmi Sharma, learned counsel for the

petitioner and Mr. Bharat Bhushan, learned APP for the State

through video conferencing in view of the COVID 19.

Let the defect(s), if any, as pointed out by the office

be removed within four weeks.

The petitioner is an accused in connection with

Akbarpur P.S. Case No. 197 of 2022 under Section 392 of the

Indian Penal Code.

As per the prosecution story, the informant is a

Manager in the Financial Institution and according to him, he

collected Rs. 1,81,304/- from some villages and kept it in the

bag which also had the tablet of Samsung company and Identity

Card. While returning, as he reached between six mile at Fulma,

two unknown persons came on a motorcycle, dashed him and



thereafter, fled away with the bag. Accordingly, the present F.I.R came to be lodged.

Learned counsel for the petitioner submits that in course of investigation, the name of the petitioner came up and accordingly he was arrested. However, no T.I.Parade was done and further the alleged recovery has also not been attributed to him. The last submission is that he is in custody since 23.05.2022 (as stated in paragraph-3 of the bail application).

Taking into account the aforesaid facts that he is in custody since 23.05.2022, charge sheet stands submitted, the recovery has not been attributed to him neither any T.I.Parade has been done, and do not have any criminal history, this Court is inclined to grant him privilege of bail in the background of the fact that he do not have criminal antecedent.

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 A.C.J.M.-1st, Nawada in connection with Akbarpur P.S. Case No. 197 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 bail by the Trial court itself;

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

(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 his 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)

Jagdish/Neha/-

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