

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61237 of 2021

Arising Out of PS. Case No.-146 Year-2021 Thana- GANGABRIDGE District- Vaishali

Komal Kumar Son of Ram Chandra Chaudhary Resident of Mohalla - Gudri
(Pokhra), P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Mr.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 17-05-2022 Heard the parties.

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

The petitioner is in custody in connection with Ganga
Bridge P.S. Case No. 146 of 2021 registered under sections
392/411 of the Indian Penal Code.

The prosecution case is that while the informant was
coming from Siwan to Hajipur by train to his home and when he
reached tempo stand four persons were accompanied him stating
that they will drop him to his house. The informant agree to go
with them and on the way they snatched Rs. 5000/- from the
informant on the gun point. Although, the petitioner was
apprehended from the spot but nothing that has been alleged in
the FIR was recovered him.



In this case, case diary was called for on 2.4.2022 along with criminal antecedent report which has been received and perused by the learned APP, who represents the State.

Learned counsel for the petitioner submits that he does not have any criminal antecedent and he is in custody since 10.7.2021 (as stated in para-20 of the bail application).

The learned APP has gone through the case diary and has conquered with the statement made by the learned counsel for the petitioner that nothing was recovered from the possession of the apprehended accused petitioner. He further submits that as per report submitted by the police he does not have any criminal antecedent.

Taking into account the aforesaid facts as also that nothing was recovered from his possession and is in jail since 10.7.2021 and has no criminal antecedent; this Court is inclined to grant him the privilege of bail subject to the fact that in case it comes that he do have any criminal antecedent, this order shall become infructuous.

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 Chief Judicial Magistrate, Vaishali at Hajipur/concerned court, in connection



with Ganga Bridge P.S. Case No. 146 of 2021 with the aforesaid conditions:-

(i) one of the bailors should be the family members 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 reasons will entail his cancellation of bail by the Trial Court itself;

(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)

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