

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70231 of 2021

Arising Out of PS. Case No.-206 Year-2021 Thana- BARH District- Patna

Vikash Kumar, Son of Pappu Yadav Resident of Village - Kajmunichak, Barh,
Ward no.18, P.s.- Barh , Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-05-2022 Heard learned counsel for the parties.

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 Barh P.S. Case No.206 of 2021 instituted under Sections 379, 414/34 of the Indian Penal Code.

As per the allegation in the FIR, the police upon information was checking the vehicles near the State Bank of India when they saw four persons coming on two motorcycles. They were intercepted and although they tried to escape, were chased and arrested. The petitioner was one of them. Upon search from him, one broken mobile was recovered. However, none of the accused could give any satisfactory answer for the two motorcycles on which they were riding. Accordingly, the same were seized and the four accused persons including the



petitioner herein were arrested. It is in this way that the petitioner is in judicial custody since 22.05.2021 (as stated in para-9 of the bail application)

Learned counsel for the petitioner submits that he was a pillion rider and had no knowledge of the fact whether two motorcycle is genuine or a stolen one. He is a young boy and has remained in jail since 22.05.2021. He lastly submits that two of the accused persons, namely, Ankit Kumar and Rupesh Kumar has since been granted bail by a co-ordinate Bench on 21.02.2022 vide Cr. Misc. No.41315 of 2021.

Let the order dated 21.02.2022 passed in Cr. Misc. No.41315 of 2021 be kept on record.

Considering the aforesaid fact that the petitioner is a young boy and is in jail since 22.05.2021, charge sheet stands submitted and some of the accused persons have been granted bail, this Court is inclined to grant him privilege of bail.

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 Barh P.S. Case No.206 of 2021 to the satisfaction of learned Judicial Magistrate, Ist Class, Barh, 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 reasons will entail cancellation of his bail by the Trial court itself;

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

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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