

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70372 of 2021

Arising Out of PS. Case No.-113 Year-2021 Thana- CHANPATIA District- West Champaran

Laddu Kumar Son of Nandkishor Thakur Resident of Village - Ugrasen Tola,
P.S.- Chanpatia (Kumarbag O.P.), District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 25-07-2022 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with
Chanpatia (Kumarbag O.P.) P.S. Case No. 113 of 2021 under
section 394 of the Indian Penal Code.

As per the FIR, the informant has alleged that while in
the night he was moving to toward Kamalnath Nagar, Bettiah,
three accused persons on a motorcycle overtook him and
attacked him with knife and later snatched the motorcycle.

Learned counsel for the petitioner submits that simply
because he has antecedent, he has been made accused and his
name has come up in the confessional statement of co-accused
Gulshan Kumar. He further submits that nothing incriminating
has been recovered from his possession and he is in custody
since 5.7.2021 (as stated in para-11 of the bail application). He



lastly submits that though the petitioner is in custody since 5.7.2021 yet no TIP has been conducted despite the fact that the informant has stated in the FIR that he can identify the accused persons.

Taking into account the aforesaid facts that charge-sheet has been submitted, the petitioner is in jail since 5.7.2021 and nothing incriminating has been recovered/seized from his possession, this Court is inclined to grant him the privilege of bail with certain conditions in view of the fact that he has 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 C.J.M., Bettiah, West Champaran, in connection with Chanpatia (Kumarbag O.P.) P.S. Case No. 113 of 2021 subject to the following 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;

(iii) he shall appear before the concerned police station every fortnight 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 take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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