

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72403 of 2021

Arising Out of PS. Case No.-11 Year-2021 Thana- SUGAULI District- East Champaran

Lovely Kumar Son Of Bhajanlal Singh R/o Mohalla- Bhagumara, P.S.-
Bahram, District- Kapurthala, Punjab

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate
For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-05-2022 Heard counsel for the petitioner.

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
Sugauli P.S. Case No. 11 of 2021 under section 461/379 of the
Indian Penal Code.

The allegation against the petitioner is of decamping
with the clothes along with the other accused persons.

Learned counsel for the petitioner submits that for the
same occurrence, two FIRs were lodged vide Sugauli P.S. Case
No. 11 of 2021 and 12 of 2021 one by the police and the other
by shopkeeper and in Sugauli P.S. Case No. 12 of 2021 he has
since been enlarged on bail by the learned trial court itself. Save
and except the two FIRs, he does not have any criminal



antecedent and is in custody since 2.3.2021.

Considering the fact that the petitioner is in jail since 2.3.2021 (as stated in para-8 of the bail application), charge-sheet has already been submitted and no looted articles was recovered from his possession; this Court is inclined to grant him the privilege of bail with conditions:-

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in Sugauli P.S. Case No. 11 of 2021 subject to the conditions:-

(i) one of the bailors 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 his cancellation of bail by the Trial Court itself;

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

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which



the State shall be at liberty to take steps for cancellation of his bail bonds;

(vi) 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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