

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9541 of 2023

Arising Out of PS. Case No.-152 Year-2022 Thana- RAJAPAKAR District- Vaishali

ANKIT KUMAR @ ROHIT KUMAR @ BELAWA SON OF NARESH RAY
R/v- Rajapakar Math, P.S.- Rajapakar, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Rajapakar P.S. Case No.152 of 2022 instituted under Section 413 and 414 of the Indian Penal Code lodged on 18.05.2022 by the informant Amarlal katariya.

As per the FIR, on 18-05-2022 the informant on patrolling duty saw one bike-borne miscreant was fleeing away seeing Police team. The Police force caught him with Motorcycle. On interrogation he stated his name as Ankit Kumar and from him, one Black & Blue Glamour Motorcycle was recovered and upon demanding paper, he could not produce. It was found to be a stolen bike. Upon interrogation he also stated that he has sold one stolen motorcycle to other co-accused and on his statement Police moved to the place of



Saurav Raj and after reaching at the place the Informant found at his gate of his house another motorcycle of hero company. Upon demand, the paper of the said vehicle too was not produced. He only stated that he has purchased this motorcycle from the Ankit Kumar. Accordingly, the FIR.

Learned counsel for the petitioner submits that he is in custody since 10.05.2022 and further one of the co-accused Saurav Raj has since been granted the privilege of bail. He further submits that the petitioner is ready to abide by all the terms and conditions.

Considering the fact that he has remained in custody since 10.05.2022 (as stated in para 10 of the petition) as also the fact that one of the co-accused Saurav Raj has since been granted the privilege of bail (Annexure-2), this Court is inclined to extend him to privilege of bail with conditions considering the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Rajapakar P.S. Case No.152 of 2022 to the satisfaction of learned Judicial Magistrate, Ist Class, Vaishali at Hajipur, 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 reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(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 the 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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