

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10339 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- PIRO District- Bhojpur

SHREEKANT KUMAR @ MUKHA S/O RAMDULAR SINGH Resident of
Village- Bhundadih, P.S.- Dawath, District- Rohtas. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

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

The petitioner is an accused in connection with Piro P.S. Case No. 175 of 2022 registered for the offences under section 392 of the Indian Penal Code and thereafter added section 395 of the Indian Penal Code lodged on 01.04.2022 by the informant, Gopal Prasad.

The prosecution story as per the first information report is that on the alleged date of occurrence on 01.04.2022 the informant along with his Assistant Anish Srivastva had gone to Mopti- Khutaha on a motor-cycle for collection of due money. As they were returning after collecting money (Rs. 1 lakh 98 thousand 90 rupees) and as soon as they reached near Bachari over bridge, three persons on a black motor cycle overtook the informant and two persons pulled out pistol from their waist and looted the bag containing the amount from Anish Srivastava and the informant. Accordingly, the FIR.



It has been contended that although he is in custody since 12.07.2022 (as stated in paragraph-11 of the bail application) neither there has been any T.I.Parade done nor anything recovered from his conscious possession.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the aforesaid facts that he is in custody since 12.07.2022 and no T.I.Parade has been done nor anything has been recovered from the conscious possession, this Court is inclined to grant him privilege of bail but with condition as 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 the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Piro P.S. Case No. 175 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *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 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 his 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

U		T	
---	--	---	--

