

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10027 of 2023

Arising Out of PS. Case No.-228 Year-2022 Thana- BARUN District- Aurangabad

BOBY DEOL S/O LATE ALOK SINGH Resident of village- Bahuriya Bigha,
P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Mukul Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-05-2023 Heard Mrs. Mukul Kumari, learned counsel for the
petitioner and the State.

The petitioner is in custody since 18.09.2022 in connection with Barun P.S. Case No. 228 of 2022 for the offence punishable under Section 392 of the I.P.C. lodged on 06.06.2022 by the informant Vivek Srivastava.

The prosecution story, in brief, is that on 06.06.2022, the informant was returning home from the 'Namaste India Line Hotel', Dalmiyanagar on his Scooty. In the meantime, four unknown persons came and forcefully snatched his mobile phone and Rs. 1100/-. It was further alleged that they had assaulted him. Accordingly, the F.I.R.

It has been submitted by the learned counsel that although he is in custody since 18.09.2022 (as stated in para 15



of the petition), neither any TIP has been made nor any recovery from his conscious possession.

Further, the co-accused Bablu Paswan has been released on bail in Cr. Misc. No 50708 of 2022 (Annexure-2).

Learned APP opposes the prayer but concedes that similar placed co-accused has been released on bail.

Considering the period of custody (18.09.2022) as also the fact that the other co-accused has been released on bail by a coordinate Bench, as stated above, this Court is inclined to extend him the 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/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S. Case No. 228 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 fortnight for next one year to mark his 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 his bail bonds.

With the aforesaid observations, the application is allowed.

(Rajiv Roy, J)

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