

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11755 of 2023

Arising Out of PS. Case No.-209 Year-2022 Thana- BANKA District- Banka

GOVIND KUMAR @ GAUTAM KUMAR Son of Janardhan Paswan R/o
Channo, P.S.- Rasalpur O.P.- District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Banka P.S. Case No.209 of 2022 instituted under Sections 379, 411, 467, 468/34 of the Indian Penal Code lodged on 04.04.2022 by the informant Nawal Kishore Singh.

As per the FIR, the informant alleged about theft of his motorcycle in front of the office of the B.J.P. situated near R.M.K. School, Banka.

Learned counsel submits that he is not named in the FIR and his name has come in the confessional statement of Birju Kumar and although he has remained in custody since August, 2022, no T.I. Parade done nor any recovery from him has been attributed.

Learned APP opposes the prayer stating that he has



criminal antecedent.

Considering the fact that despite he being in custody since 18.08.2022 (as stated in para-16 of the petition), no T.I. Parade has been conducted nor anything has been recovered from his possession, this Court is inclined to grant him privilege of bail.

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 Banka P.S. Case No.209 of 2022 to the satisfaction of learned Judicial Magistrate, Ist Class, Banka, 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 months 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/
Sunil

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