

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20924 of 2023

Arising Out of PS. Case No.-368 Year-2021 Thana- RAJAON District- Banka

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Saurav Kumar @ Sourabh Kumar S/O Pankaj Mandal Resident of Village-
Bhiraundha, P.S.- Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-04-2023 Heard the parties.

This application is for grant of bail to the petitioner, who is in custody in connection with Rajoun P.S. Case No. 368/2021 under Section 419, 420 and 394 of the I.P.C. pending before the Court of the learned Chief Judicial Magistrate, Banka.

The prosecution story, in brief, is that one Bharat Prasad Singh took Rs. 6,40,000/- from the informant Chandan Kumar to provide Govt. Job but the petitioner neither provided any govt. job to the informant nor returned the alleged money to him. It was further alleged that when the informant was going home on his motorcycle, the accused persons including the petitioner beat him and looted his motorcycle and did not return his money.



The petition was earlier heard and rejected on 20.09.2022 vide Cr. Misc. No. 35976 of 2022.

Once again, the present prayer has been made.

Taking into account the period of custody i.e. since 01.04.2022 (para 8 of the petition) as also the fact that he do not have criminal antecedent and ultimately he has to face the music, this Court is inclined to grant him the privilege of bail subject to certain conditions:

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, Banka, in connection with Rajoun P.S. Case No.368/21 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/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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months 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 bail application is allowed.

(Rajiv Roy, J)

Ravi/-Kiran

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