

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28610 of 2023

Arising Out of PS. Case No.-43 Year-2020 Thana- CHHABILAPUR District- Nalanda

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SATYENDRA KUMAR @ ICHANA S/O DOMAN PRASAD R/O Village-
Pilkhi, P.S- Khodganj, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-05-2023 Heard the parties.

The petitioner is in judicial custody in connection with Sessions Trial No. 100 of 2021 arising out of Chhabilapur P.S. Case No. 43 of 2020 under sections 395, 412 of the Indian Penal Code lodged on 08-07-2020 by the informant Prahlad Paswan.

As per the allegation made in the FIR by the informant, Prahlad Paswan, he withdrew Rs. 50,000/- from the bank and as he was moving towards 'Kishnai Bigha', it is alleged that the accused persons on the point of revolver took the cash as well as the vehicle he was riding. The FIR was lodged against the unknown persons but subsequently, the petitioner was apprehended and the informant identified him.

Earlier the case was taken up and the same was twice



rejected vide an order dated 09.05.2022 and 18.10.2022, in Cr. Misc. No. 65938 of 2021, Cr. Misc. No. 52852 of 2022 respectively.

Once again the present petition was filed.

Considering the fact that the petitioner has remained in custody since 15.07.2020 (as stated in para-12 of the petition), this Court is inclined to extend him the privilege of bail, subject to certain conditions.

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 Sessions Trial No. 100 of 2021 arising out of Chhabilapur P.S. Case No. 43 of 2020 to the satisfaction of learned A.C.J.M., V, Hilsa, Nalanda, 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 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 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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