

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30498 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- NAUGACHIA District- Bhagalpur

Gulshan Kumar Jha, aged about 29 years, Male Son of Arun Kumar Jha,
Resident of Village- Navtolia, Narayanpur, P.S. Bhawanipur O.P., District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Roshan Kumar Mishra, Advocate with Mr. Pranav Kumar Jha, Advocate and Mr. Ritesh Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Naugachia P.S. Case No. 356 of 2022 dated 15.11.2022
registered for the offence punishable under Section 392 of the
Indian Penal Code.

As per the prosecution case, four unknown miscreants
forcefully taken away E-Rickshaw of the informant when he
was returning back to his home from Naugachia.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR and nothing incriminating
articles have been recovered from the conscious possession of
the petitioner. The petitioner is falsely implicated in this case



and no Test Identification Parade has been conducted till date. Charge sheet has already been submitted in this case. Petitioner has two criminal antecedent out of which in one case he has been acquitted and in another case he has been granted bail by the learned Court below. Petitioner is in jail custody since 22.11.2022.

Learned APP appearing for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case and submission of learned counsel for the parties, let the petitioner above named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VII, Naugachia, Bhagalpur in connection with Naugachia P.S. Case No. 356 of 2022, subject to the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court.

(ii) In case of absence on two consecutive dates without sufficient reason or if the petitioner misuse the liberty or violate any of the conditions imposed upon him his bail bond



will be liable to be cancelled by the Court concerned.

(iii) If the petitioner tampers with the evidence or the witness, in that case the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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