

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31322 of 2023

Arising Out of PS. Case No.-141 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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RAHUL KUMAR son of Pradip Kumar Resident of Village- Pipradih, P.S.
Town, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-06-2023 Heard the parties.

The petitioner is in custody since 21.2.2023 in connection with Town Aurangabad P.S. Case No. 141of 2023 for the offence punishable under Sections 420, 467, 468, 471, 413, 414 of the I.P.C. lodged on 20.2.2023 by the informant Sanjay Kumar.

The prosecution story, in brief, is that on 20.2.2023, the informant received a secret information that three youngsters are standing with Pulser Motorcycle at Gagri More. The informant alongwith police personnel reached there and apprehended them. On query, they disclosed their names as Rahul Kumar, Raviraj Kumar @ Nepali and Santosh Yadav. Upon search, a Pulser motorcycle with tampered number plate



and the mobile set were recovered from their possession. They further disclosed that the alleged motorcycle is stolen one.

Learned counsel for the petitioner submits that he runs a tea shop at Gagri More where other co-accused persons had arrived when the police reached, he was serving tea and was caught along with them.

Further submission is that he do not have criminal antecedent.

Learned APP opposes the prayer.

Considering the fact that he is in custody since 21.2.2023, has no criminal antecedent and is a young of 21 years, this Court is inclined to extend him the privilege of bail with conditions. However, if it is found that the petitioner do have criminal antecedent, this bail order shall become infructuous.

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 Town Aurangabad P.S. Case No. 141 of 2023 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)

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