

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33839 of 2023**

Arising Out of PS. Case No.-29 Year-2022 Thana- BIBHUTIPUR District- Samastipur

RAJA KUMAR S/o- RAM CHANDRA SHARMA Village- Rudauli ward no-6, PS- Bachhwara Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      28-06-2023                      Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner is in judicial custody in connection with Bibhutipur P.S. Case No.29 of 2022 instituted under Section 392 of the IPC lodged on 21.01.2022 by the informant Kamal Kumar.

As per the FIR, informant Kamal Kumar Yadav made written statement before the SHO, alleging that on 21.01.2022, while he was returning on motorcycle bearing Registration No. BR-33AL-3775 along with his friend from the Hospital, Dalsingsarai. As he reached near Tarunia field at about 6.45 P.M, a motorcycle with three persons on it overtook and stopped him. While one of them at the point of pistol snatched the key of vehicle, the other snatched a mobile from the pocket of his friend. One of them fled with his motorcycle towards



Kalyanpur, the other two fled away towards Dalsingarsai. Accordingly, the FIR.

Learned counsel for the petitioner submits that the looted motorcycle and the mobile set were not recovered from him and further he was not put on TI Parade. It is his further submission that if granted bail, he will abide by all the terms and conditions.

Learned APP submits that he has criminal cases of same nature and as such has opposed the prayer.

Although the petitioner has criminal antecedent of the same nature, considering the fact that no TI parade has been done and he is in custody since 25.03.2022 (as stated in para-11 of the petition), this Court is inclined to extend him privilege of bail after framing of the charges.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Bibhutipur P.S. Case No.29 of 2022 to the satisfaction of learned SDJM, Rosera, Samastipur, 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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