

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34426 of 2023

Arising Out of PS. Case No.-138 Year-2021 Thana- BANGARA District- Samastipur

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UMESH KUMAR @ UMESH SHARMA Son of Pradip Sharma Resident of
village - Lahladpur, Baligaon, P.S. - Patepur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner is in judicial custody in connection
with N.H. Bangra P.S. Case No.138 of 2021 instituted under
Section 392 of the IPC lodged on 18.12.2021 by the informant
Md. Asif.

As per the FIR, on 18.12.2021 the informant along
with his mother was returning home on motorcycle of his friend
and when he reached Akbarpur village, three persons on
motorcycles by showing the pistol took the motorcycle of the
informant and fled away from there. Accordingly, the FIR.

It has been contended by the learned counsel for the
petitioner that once he was arrested in a particular case, in the
number of cases, he was implicated which reflects in paragraph-
3 of the petition. It is his further submission that he has already



suffered by being in custody since 11.04.2022 (as stated in paragraph 15 of the petition) no T.I. Parade done, is ready to abide by all the terms and conditions.

Learned APP opposes the prayer on the ground that number of cases are lodged against him.

Considering the period of custody as also the fact that he has not been subjected to T.I. Parade, this Court is inclined to grant him privilege of bail with strict 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 N.H. Bangra P.S. Case No.138 of 2021 to the satisfaction of learned Judicial Magistrate, Ist Class, 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every months 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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