

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34587 of 2023

Arising Out of PS. Case No.-506 Year-2022 Thana- SHASTRINAGAR District- Patna

SAURAV KUMAR Son of Surendra Das Resident of village - Konipar
Nanakpura, Onipa, P.S. - Suryagraha, Distt. - Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-07-2023 Heard the parties.

The petitioner is in custody since 12.9.2022 in connection with Shastrinagar P.S. Case No. 506 of 2022 for the offence punishable under Sections 394 of the I.P.C. and 27 of the Arms Act lodged on 18.8.2022 by the informant Ashutosh Mishra.

The prosecution story, in brief, is that the informant Ashutosh Mishra give a 'fardbeyan' before the Sub Inspector Sri Prahlad Jha and stating there that at about 5.15 A.M, he was on a morning walk at Navin Sinha Park when two persons riding on the Pulsar Motorcycle came and surrounded him and snatched the mobile on the point of the revolver. When he objected, one of them opened fire causing injury in the leg.

Learned counsel for the petitioner submits that though



he is in custody since 12.9.2022 (as stated in para-13 of the bail application), nothing has been recovered from his possession nor he has been put on TIP.

The last submission is that one of the co-accused namely Mohit Kumar Dutta has been granted the privilege of bail in Cr. Misc. No. 13119 of 2023 on 9.5.2023 by a coordinate bench of this Court.

Learned APP opposes the prayer for bail.

Considering the aforesaid submission put forward by the learned counsel for the petitioner, he is in custody since 12.9.2022 and nothing has been recovered from his possession as also similar placed co-accused has since been released on bail, this Court is inclined to extend him the privilege of bail with conditions.

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 A.C.J.M. IXth, Patna, in connection with Shastrinagar P.S. Case No. 506 of 2022 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 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 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)

Ravi/-

U		T	
---	--	---	--

