

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38437 of 2023

Arising Out of PS. Case No.-25 Year-2022 Thana- DALSINGHSARAI District- Samastipur

SUMAN SAURABH son of Jageshwar Prasad Village- Ward no-6, Kailash
Pandit tola, Khadiyahi Bibhutipur Ps- Bibhutipur Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Dalsingsarai (Dalsinghsarai) P.S. Case No. 25 of 2022 for the offence under Section 392 of the Indian Penal Code lodged on 22.01.2022 by the informant, Ravikant Paswan.

The prosecution case, in brief, is that on 20- 11-2022 at about 07:00 p.m while he was going on his motorcycle and reached in between Maalpur and Gauspur, three motorcycle borne criminals relieved him of his motorcycle and snatched mobile, bag after giving a ‘butt’ blow on his shoulder and fled away. Accordingly, the F.I.R.

It has been contended by learned counsel for the petitioner that his name has come in the confessional statement and as a result he went into judicial custody on 15.03.2022 (as



stated in paragraph-12 of the petition) and till date, no T.I. Parade has been made nor anything recovered from his possession.

Learned APP opposes the prayer for bail.

Considering the period of custody i.e. 15.03.2022 as also that no T.I.P has been made nor anything recovered from his possession, 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 Additional Chief Judicial Magistrate, II, Dalsingsarai, Samastipur in connection with Dalsingsarai (Dalsinghsarai) P.S. Case No. 25 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/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 month for 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 application is allowed.

(Rajiv Roy, J)

Jagdish/kiran/-

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

