

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36201 of 2023

Arising Out of PS. Case No.-283 Year-2022 Thana- ATHMALGOLA District- Patna

ANSHU KUMAR S/O BABLU RAM R/O Village. S.D.O. Compound, Barh,
PS. Barh, Dist. Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Manglam, Advocate
For the Opposite Party/s : Mrs. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with Sessions Trial No. 166 of 2023 arising out of Athmalgola P.S. Case No. 283 of 2022 registered for the offences under section 392 of the Indian Penal Code lodged on 07.10.2022 by the informant, Prem Shankar Kumar.

As per the prosecution story, the allegation is that the informant was going from Pandarak to Bakhtiyarpur when he reached near Mount Litera School, was intercepted on the point of pistol, his belongings were looted. Accordingly, the FIR.

It has been submitted by the learned Counsel for the petitioner that his name has come in the confessional statement of co-accused, Sahil Kumar @ Raghav Raj who has since been



granted bail by a co-ordinate bench in Cr. Misc. No. 20275 of 2023 (Annexure 2 to the present bail application).

His last submission is that he is in custody since 22.10.2022 (as stated in paragraph 27 of the bail application).

Learned APP for the State, on the other hand, opposes the prayer for bail but concedes that one of the similar placed co-accused has been released on bail.

Taking into account the aforesaid submissions as also that he do not have criminal antecedent and has remained in custody since 22.10.2022, this Court is inclined to extend him the privilege of bail.

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 the learned 1st Additional District and Sessions Judge, Barh, Patna in connection with Sessions Trial No. 166 of 2023 arising out of Athmalgola P.S. Case No. 283 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 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 his 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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