

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37460 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- KARAKAT District- Rohtas

Rakesh Paswan Son Of Bahadur Paswan Resident Of Village - Kirhi, Police Station - Karakat, District - Rohtas At Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-07-2023

Heard the parties.

The petitioner is in custody since 8.2.2023 in connection with Karakat P.S. Case No. 09 of 2023 for the offence punishable under Section 392 of the I.P.C. lodged on 16.1.2023 by the informant Ravi Ranjan.

The prosecution story, in brief, is that the informant, Ravi Ranjan, alleged that on 16.01.2023 that working for the Karuna Shankar HP Gas Gorari Gas vehicle, he had distributed gas in Sakla Bazar from Kushi to Parsar and came on Hatiya road when three people on a motorcycle overtook and stopped him. Further, accuseds pointing country made revolver demanded and snatched Rs. 31,700/- (Rupees Thirty One Thousand Seven Hundred) that was sold gas money as also Redmi Company Mobile of Khalasi namely Manish Kumar.



Later, they escaped. Accordingly, the FIR.

It has been contended by the learned counsel for the petitioner that though he is in custody since 8.2.2023, no TIP has been done nor anything recovered from his conscious possession. However, he concedes that he has criminal antecedent.

Learned APP opposes the prayer stating that his name cropped up during the course of investigation and further he has criminal antecedent.

Considering the fact that though he is in custody since 8.2.2023, no TIP has been done nor anything recovered from his conscious 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-1st Rohtas at Sasaram, in connection with Karakat P.S. Case No. 09 of 2023 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)

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