

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37779 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- SHEKHPURA District- Sheikhpura

ABHISHEK KUMAR S/O MAHESH SINGH R/O Village- Chandani
Chowk, Gandhinagar, PS. Sheikhpura, Dist. Sheikhpura

.. ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

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

The petitioner is in judicial custody in connection with Sheikhpura P.S. Case No.36 of 2023 instituted under Section 392 of the IPC lodged on 24.01.2023 by the informant Hareram Singh.

As per the prosecution, F.I.R. has been lodged against four unknown persons alleging that the informant when coming to deposit money amounting Rs.12,50,000/- in the bank, four accused persons from motorcycle came and looted the said amount. Accordingly, the FIR.

The contention of the learned counsel for the petitioner is that his name has come in the confessional statement of co-accused Raushan Kumar who has since been granted bail in Cr. Misc. No.19167 of 2023 on 18.03.2023.



Further no material has been found against him nor anything recovered from his conscious possession and is in custody since 15.03.2023 (as stated in para-12 of the petition).

Learned APP opposes the prayer for bail.

Considering the aforesaid facts and the period of custody (15.03.2023), this Court is inclined to grant him privilege of bail.

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 Sheikhpura P.S. Case No.36 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, 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 bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months 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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