

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39332 of 2023

Arising Out of PS. Case No.-115 Year-2021 Thana- KATIHAR (R.T) District- Katihar

=====

Bittu Kumar, Son of Shiv Balak Sahani Larkaniatola, Ward No 19, Nagar
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

for the State.

The petitioner seeks bail in connection with Katihar

Rail P.S. Case No.115 of 2021, registered for the offences

punishable under Sections 379, 411 of the Indian Penal

Code.

The prosecution case as emerges from the FIR is

that on 02.12.2021 the informant was on duty at Katihar

Railway Station, during that course he apprehended one

person namely, Dhiraj Bansfore on suspicion and on being

searched five pieces of blades, one purse and other articles

were recovered from his possession.



Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He also submits that the petitioner is not named in the FIR. He also submits that the alleged offence is petty in nature.

He further submits that the petitioner has been languishing in jail since 24.10.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in two other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Court of



katihar Railway Judicial Magistrate, in connection with
Katihar Rail P.S. Case No.115 of 2021 on the following
conditions:

(i) The petitioner will make himself available for
interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that
investigation/trial will not get hampered on account of his
absence or non-cooperation. He must be available to the
police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly
make any inducement, threat or promise to any person
acquainted with the facts of the case so as to dissuade him
from disclosing such facts to the court or to any police
officer.

(iv) In case, it is brought to the notice of the court
below that the petitioner has criminal antecedents other than
the disclosed one, Ld. court below shall cancel the bail bonds
of the petitioner after hearing him and getting satisfied that
the petitioner has concealed his criminal antecedents despite
his knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

chandan/-

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

