

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51991 of 2023

Arising Out of PS. Case No.-1265 Year-2021 Thana- KANKARBAG District- Patna

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AMIT KUMAR S/O VIJAY SHANKAR PRASAD @ VIJAY SHANKAR
R/O VILLAGE- CHANDAURA, PS. KAKO, DIST. JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhimanyu Deo, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-08-2023

Heard the parties.

The petitioner is in judicial custody in connection with Kankarbagh P.S. Case No. 1265 of 2021 for the offence punishable under Sections 392 of the I.P.C. and later 411 of the IPC was also added lodged on 21.12.2021 by the informant, Bhushan Prasad Sinha.

As per the prosecution story, the informant was going to Rajendra Nagar Station when two accused persons came and on the point of pistol/knife snatched Rs. 5000/- and a mobile phone.

The petitioner's submission is total denial and the specific submission is that the police arrested him and forced to make confessional statement and nothing has come in course of investigation. Further, he is in custody since 7.2.2022 (para-9 of



the petition).

Learned APP opposes the prayer stating that he has criminal antecedent of the same nature.

Taking into account the fact that he is in custody since 7.2.2022 but no TIP has been conducted, 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 Judicial Magistrate,-1st Class, Patna, in connection with Kankarbagh P.S. Case No. 1265 of 2021 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 fortnight for next six months 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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