

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51985 of 2023

Arising Out of PS. Case No.-345 Year-2022 Thana- SIWAN CITY District- Siwan

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BISHWAJIT KUMAR @ SONU GUPTA SON OF BHOLA SAH
RESIDENT OF VILLAGE- RAMGARH, PS- CHAINPUR OP, DISTT-
SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar, Advocate

For the Opposite Party/s : Mr.Murli Dhar, 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 Siwan Town P.S. Case No.345 of 2022 instituted under Section 395 of the IPC lodged on 30.05.2022 by the informant Chandan Kumar Singh.

As per the prosecution story, the miscreants half a dozen entered the bank and looted Rs.22,44,116/- and upon objection were also beaten. Accordingly, the FIR.

Learned counsel for the petitioner submits that the bank officials have given description of the miscreants/accused persons and claim to identify them but despite he being in custody since 06.02.2023 (para-8 of the petition), no TI parade was done. The last submission is that similar placed co-accused with five criminal cases namely Sri Prakash Tiwari has since



been granted bail by a coordinate bench in Cr. Misc. No.70337 of 2022 (Annexure-1 to the petition).

Learned APP opposes the prayer for bail stating that he is accused in a bank loot and have criminal antecedent.

Though there is force in the submissions put forward by the learned APP, the petitioner has criminal antecedent of the same nature, the fact remains that he is in custody since 06.02.2023 but no TI parade was done and since one of the similar placed co-accused with five criminal antecedent have been granted bail by a coordinate bench, this Court has to take the same route.

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 Siwan Town P.S. Case No.345 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Siwan , 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 month till conclusion of the trial 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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