

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52729 of 2023

Arising Out of PS. Case No.-506 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

RAJNISH KUMAR S/O RAJEEV KUMAR @ RAJEEV KUNWAR R/O
VILLAGE- ITWA, WARD NO. 16, PS. SINGHAUL, DIST. BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Town (Ratanpur) P.S. Case No. 506 of 2022 registered under Section 394 of the Indian Penal Code lodged on 22.08.2022 by the informant, Sunil Singh.

As per the prosecution story, the accused persons snatched bag containing Rs. 1.5 Lakhs and also caused injury. Accordingly, the FIR

Learned counsel for the petitioner submits that so far as injuring the informant is concerned, it has been attributed to one Golu Kumar. He is a student of B.A. Part -II. Further submission is that he is in custody since 08.09.2022 (as stated in paragraph-12 of the petition) and no Test Identification Parade



has been conducted. His last submission is that irrespective of the outcome of the present case, he would like to pay Rs. 5000/- to the informant through Bank draft issued by the local Branch of State Bank of India.

Learned APP for the State opposes the prayer for bail stating that he has criminal antecedent.

Taking into account the submission put forward by the learned counsel for the petitioner, he is young boy, student and he has remained in custody since 08.09.2022, this Court is inclined to grant him privilege of bail subject to payment of Rs. 5000/- as per the undertaking given by the petitioner, as stated above.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Munsif II cum Judicial Magistrate, 1st Class, Begusarai in connection with G.R. No. 2775 of 2022 arising out of Town (Ratanpur) P.S. Case No. 506 of 2022, 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/her *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/her 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 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 his 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)

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