

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52472 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- MAHKAR District- Gaya

VIKRAM KUMAR Son of Umesh Yadav R/o Village - Kaiyantand, P.S.-
Mahkar, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rewti Kant Raman, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Mahkar P.S. Case No. 44 of 2022 for the offence punishable under Section 395 of the Indian Penal Code lodged on 19.5.2022 by the informant, Suraj Kumar.

As per the prosecution story, the allegation is that eight unknown persons on two motorcycles intercepted and snatched Rs. 10,000/- from the pocket of the informant as also Rs. 6000/- from Chitranjan Kumar and the instruments relating to the D.J. and thereafter escaped.

The case is that the informant and his associates were returning after performing in a 'BARAT'. Accordingly, the FIR.

It is the case of the petitioner that he is in custody since 26.4.2023 (Para-1 of the petition) but no TIP conducted



and his name has come in the confessional statement of co-accused.

Learned APP opposes the prayer.

Considering the aforesaid submission put forward by the learned counsel for the petitioner, the period of custody as also that he do not have criminal antecedent and no TIP conducted despite he being in custody since 26.4.2023, 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 A.C.J.M.-1st, Gaya, in connection with Mahkar P.S. Case No. 44 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 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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