

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52166 of 2023

Arising Out of PS. Case No.-860 Year-2022 Thana- SUPAUL District- Supaul

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NITISH KUMAR SON OF LATE SHANKAR PRASAD YADAV
RESIDENT OF KAMALJARI, WARD NO.11, P.S. - GAMHARIYA,
DISTRICT - MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyam Anand, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-08-2023 Heard the parties.

The petitioner is an accused in connection with Supaul P.S. Case No. 860 of 2022 registered for the offences under section 392 of the Indian Penal Code lodged on 09.09.2022 by the informant, Mausam Kumari.

As per the prosecution story, the accused persons snatched the bag containing Rs. 60,150, the PAN Card, the Voter ID Card as also the mobile. Accordingly, the FIR.

The contention of the learned Counsel for the petitioner is that the name of the petitioner came in the confession of the co-accused, there has not been any recovery from his part, not any T.I. Parade has been done and he is in custody since 13.02.2023 (as stated in paragraph 14 of the bail



application).

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the submissions put forward by the learned Counsel for the petitioner, no T.I. Parade has been done, despite the fact that he is in custody since 13.02.2023 and do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned District & Sessions Judge, Supaul in connection with Supaul P.S. Case No. 860 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



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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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