

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52334 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- SITAMARHI District- Sitamarhi

BITTU KUMAR Son of Babalu Ram @ Bhagalu Ram RO AMBEDKAR
MOHALLA, PURANI BAZAR, WARD NO 9, PS SITAMARHI, DIST
SITAMARHI, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-08-2023 Heard the parties.

The petitioner is in custody in connection with
Sitamarhi P.S. Case No. 31 of 2023 for the offence under section
394 of the Indian Penal Code lodged on 11.01.2023 by the
informant, Anup Kumar.

As per the prosecution story, the allegation is that the
informant was going to his house after closing the shop and
taking up the sale proceed (Rs. Four lacs and ten thousand), two
accused persons intercepted, snatched the bag and on protest,
gave knife injury on his body part, looted and escaped. Further,
he was brought to the hospital for treatment. Accordingly, the
F.I.R.

Learned counsel for the petitioner submits that he is



not named in the FIR, is a young boy and during investigation, he has been picked up but no T.I. parade was conducted.

Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

Learned APP opposes the prayer for bail stating that the allegation of snatching the bag as also causing injuries are there.

Taking into account the aforesaid facts as also that the omnibus allegation of injury has been made against the two accused persons, the petitioner is a young boy of twenty-two years and is in custody since 27.02.2023, chargesheet submitted and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.



Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Court of CJM, Sitamarhi, Bihar, in connection with Sitamarhi P.S. Case No. 31 of 2023 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for 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)

kiran/-

U		T	
---	--	---	--

