

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50704 of 2022

Arising Out of PS. Case No.-81 Year-2022 Thana- HULASGANJ District- Jehanabad

Krishna Murari, S/o Shivnandan Sharma, Resident of Village- Hulasganj,
Bazar Samittee, P.S.- Hulasganj, District- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Smt. Madhuri Kumari, Advocate
For the State	:	Mr.Jitendra Kumar Singh, APP
For the Informant	:	Mr. Arvind Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 18-01-2023 Heard learned counsel for the petitioner and the learned APP for the State as well as the learned counsel for the informant, who has entered appearance by filing *Vakalatnama* today.

The petitioner seeks bail in connection with Hulasganj P.S. Case No.81 of 2022 registered for the offence punishable under Section 392 of the Indian Penal Code.

There is an allegation that the informant's car was booked and the petitioner and co-accused Anand Kumar have taken the vehicle on hire, whereafter they have called some other persons (co-accused) and taken away the vehicle.

Learned counsel for the petitioner submits that the alleged case of the prosecution is highly improbable that once



a vehicle is booked, how it can subsequently be taken away by the same person who booked it. In fact, the petitioner has no concern with the same. He himself has become a victim of the circumstances. The identity of the petitioner was known to the informant, therefore he has implicated him by name. There is no recovery from the petitioner. Having no antecedents, the petitioner, who is aged about 19 years, has remained in custody since 24.05.2022.

Learned APP for the State and the learned counsel for the informant have opposed the prayer for bail.

Considering the rival submissions, the fact that firing is attributed only against co-accused Arvind Singh and the period of custody, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Hulasganj P.S. Case No.81 of 2022, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will



give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

PNM

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

