

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52740 of 2023

Arising Out of PS. Case No.-160 Year-2023 Thana- BIBHUTIPUR District- Samastipur

RAHUL KUMAR @ PANJABI SON OF RANJIT @ RANJIT RESIDENT
OF VILLAGE- NARHAN, PS- BIBHUTIPUR, DIST SAMASTIPUR,
BIHAR- 848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2023 Heard Mr. Piyush Kumar Pandey, learned Counsel

for the petitioner and Mr. Bharat Bhushan, learned APP for the

State.

The petitioner is an accused in connection with
Bibhutipur P.S. Case No. 160 of 2023 corresponding to the G.R.
No. 597 of 2023 registered for the offences under section 394
of the Indian Penal Code lodged on 02.05.2023 by the
informant, Neeraj Kumar.

As per the prosecution story, on the point of pistol, the
informant was intercepted and relieved of mobile as also the
cash. Accordingly, the FIR.

Learned Counsel for the petitioner submits that the
police arrested and has seized a mobile which actually belongs



to him and is not the looted property. It is his further submission that despite he being in custody since 09.05.2023 (as stated in paragraph 18 of the bail petition), no T.I.Parade has been conducted.

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, he is in custody since 09.05.2023, no T.I.Parade has been conducted, 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 Chief Judicial Magistrate, Samastipur in connection with Bibhutipur P.S. Case No. 160 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 *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 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.

With the aforesaid observations, the bail application is allowed.

Before parting, this Court would like to put on record its word of appreciation for Mr. Piyush Kumar Pandey, learned counsel for the petitioner for proper assistance rendered in the matter.

(Rajiv Roy, J)

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