

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52343 of 2023

Arising Out of PS. Case No.-269 Year-2022 Thana- KALYANPUR District- Samastipur

RITIK KUMAR @ KGF SON OF DINESH KUMAR SAHNI @ DINESH
SAHNI RESIDENT OF VILLAGE - BHAGIRATHPUR, P.S. -
KALYANPUR, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-08-2023 Heard the parties.

The petitioner is in custody in connection with Kalyanpur P.S. Case No. 269 of 2022 for the offence under sections 392 and 411 of the Indian Penal Code lodged on 26.08.2022 by the informant, Naulej Kumar.

As per the prosecution story, the allegation is that the accused persons on two motorcycles intercepted a pick-up van loaded with coconut, made him alight from it and took away the pick-up van. They also snatched the mobile phones thereafter, he came on road and informed the patrolling police. The accused persons being felt the heat due to Police chase, left the pick-up van and ran away. This followed the F.I.R.

Subsequently, one Manish Kumar @ Bambam was



arrested, on his confession the name of the petitioner cropped up.

The case of the petitioner is that he has no criminal antecedent, his name has come in the confessional statement of Manish Kumar @ Bambam who has since been released on bail by a co-ordinate Bench vide Cr. Misc. No. 49612 of 2023 and he is in custody in custody since 30.05.2023 (as stated in paragraph 12 of the petition.

Let the same be kept on record.

Learned APP opposes the prayer for bail.

Taking into account the submissions put forward by the learned counsel for the petitioner, his period of custody i.e. 30.05.2023, his name has come in the confessional statement of Manish Kumar Paswan @ Bambam who has since been released on bail, as stated above and he do not have criminal antecedent, 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) each with two sureties of like amount each to the satisfaction of learned JMFC-cum-Addl. Munsif, Samastipur, in connection with Kalyanpur P.S. Case No. 269 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/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 month for one year 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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