

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53363 of 2023

Arising Out of PS. Case No.-157 Year-2022 Thana- SANDESH District- Bhojpur

RAJU KUMAR SON OF DHANU SAH RESIDENT OF VILLAGE-
AHAPURA, PS- SANDESH, DISTT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-08-2023

Heard the parties.

The petitioner is in custody in connection with Sandesh P.S. Case No. 157 of 2022 for the offence under section 394 of the Indian Penal Code lodged on 05.08.2022 by the informant, Md. Pravej Kuraithi.

As per the prosecution story, the accused persons intercepted a pick-up van and took away the vehicle as also his mobile and cash. Accordingly, the F.I.R.

Learned counsel for the petitioner submits that he has been implicated only because he has criminal antecedent and the Police forced him to make confessional statement, has suffered by being in custody since 15.09.2022 (as stated in paragraph 13 of the petition).

The further submission is that another accused Golu



Kumar has since been granted bail by a co-ordinate vide Cr. Misc. No. 6255 of 2023 (Annexure-2).

Learned APP opposes the prayer for bail.

Considering the submissions put forward by the learned counsel for the petitioner and one of the co-accused has since been granted bail, as stated above, is in custody since 15.09.2022, 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 Judicial Magistrate, Bhojpur, in connection with Sandesh P.S. Case No. 157 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 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)

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