

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52322 of 2023

Arising Out of PS. Case No.-343 Year-2023 Thana- KHAJANCHI HAT District- Purnia

AMIT KUMAR @ AMIT KUMAR YADAV S/o BHUPENDRA YADAV
RESIDENTS OF VILLAGE CHAMPAWATI KISHANTOLI PS MORGAN
DISTRICT PURNIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-08-2023 Heard the parties.

The petitioner is an accused in connection with S.T. 355/2023/C.I.S. No. 355 of 2023 arising out of K. Hat P.S. Case No. 343 of 2023 registered for the offences under sections 411, 413, 414 and 401 of the Indian Penal Code lodged on 17.03.2023 by the informant, Subash Kumar Mandal.

The prosecution case, in brief, is that on 17.03.2023, the informant after getting information reached at Janta Chowk and saw that the accused persons were caught by local people when one of the accused person was trying to snatch a mobile phone from the hand of a lady. Accused, Amit Kumar Yadav in his confessional statement accepted his guilt and also told the name of petitioner and his involvement in the alleged crime.



Accordingly, the FIR.

Learned Counsel for the petitioner submits that he is a young boy, student, the police has falsely implicated in this case, nothing incriminating has been recovered from his possession and similar situate co-accused, Ashutosh Kumar Mishra @ Ashutosh Kumar has since been granted bail by a co-ordinate bench in Cr. Misc. No. 40518 of 2023 on 14.07.2023.

Let the same be kept on record.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the aforesaid submissions as also the period of custody i.e. 18.03.2023, is a young boy of 20 years and one of the similar placed co-accused, Ashutosh Kumar Mishra @ Ashutosh Kumar has since been granted bail, as stated above, 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 4th A.D.J., Purnia in connection with S.T. 355/2023/C.I.S. No. 355 of 2023 arising out of K. Hat P.S. Case No. 343 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.

(Rajiv Roy, J)

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