

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52755 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- KHAGARIA District- Khagaria

PRITAM KUMAR @ PRATIK KUMAR S/O SRI KUMAR CHOUDHARY
@ KRISHANA KUMAR CHOUDHARY @ KUWAR JEE RESIDENT OF
VILLAGE- NAYATOLA, RAHIMPUR, PS- MUFFASIL, DISTRICT-
KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2023

Heard the parties.

The petitioner is an accused in connection with Khagaria (Muffasil) P.S. Case No. 22 of 2023 registered for the offences under section 414 of the Indian Penal Code lodged on 08.01.2023 by the informant, Ratesh Kumar Ranjan.

As per the prosecution story, the police recovered/seized a 'Bolero' having Reg. No. BR-09-R-0635 from the 'kabari' shop of the petitioner which came to be stolen 'Bolero' having Reg. No. BR-53-A-7251 and for which Surgarha P.S. Case No. 402 of 2022 was already registered. Accordingly, the FIR.

It is the case of the petitioner that he runs a 'kabari' shop where the owner came claiming that his car is now no



more functional and as such, the dismantler, little realizing that it is a stolen car.

Learned APP for the State, on the other hand, has taken this Court to paragraph 3 to show that he has criminal antecedent of the same nature.

Taking into account the aforesaid submissions put forward by the rival parties, he has remained in custody since 18.04.2023 (as stated in paragraph 6 of the bail application), will be ultimately facing the trial, this Court is inclined to extend him privilege of bail after framing of the charges.

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 Court of C.J.M., Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 22 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 till the conclusion of trial 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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