

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53129 of 2023

Arising Out of PS. Case No.-185 Year-2023 Thana- KOTWA District- East Champaran

SUNIL KUMAR SON OF RAMAKANT SAH RESIDENT OF VILLAGE-
SEMRA, P.S. CHAKIA, DISTRICT- EAST CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Kotwa P.S. Case No.185 of 2023 instituted under Section 392 of the IPC lodged on 16.05.2023 by the informant Pankaj Thakur.

As per the prosecution story, the allegation is of snatching of cash of Rs.25,000/- and a mobile of the employees. This followed the FIR.

It is a case of the petitioner that though the allegation is of that the looted mobile was recovered from his possession, it belongs to him, he has remained in custody since 19.06.2023 (para-11 of the petition), but no TI parade conducted.

Learned APP opposes the prayer for bail stating that he has criminal antecedent.

Considering the period of custody of the petitioner as



also that no TI parade conducted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Kotwa P.S. Case No.185 of 2023 to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motiharis, subject to 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 conclusion of the 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 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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