

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54102 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- NAUGACHIA District- Bhagalpur

SANDIP KUMAR SON OF VIKASH KUMAR SINGH RESIDENT OF
VILLAGE- CHAPARGHAT, POLICE STATION GOPALPUR, DISTRICT-
BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023 Heard the parties.

The petitioner is an accused in connection with Naugachia P.S. Case No. 50 of 2023 registered for the offences under section 392 of the Indian Penal Code lodged on 04.03.2023 by the informant, Mukesh Kumar.

As per the prosecution story, the informant alleged that he is working as C.R.O. (Customer Relationship Officer) with a finance company and after collecting Rs. 1,74,000/-, he deposited Rs. 1,49,000/- and was moving with rest of the amount to his house and reached on NH-31, near toll plaza the accuseds made him to stop the motorcycle. One of them snatched the key, took him towards the ditch, relieved him of all the articles including the mobile, gazettes, purse, documents and



later escaped. This followed the FIR.

The case of the petitioner is that he purchased the mobile from one co-accused, Piyush Kumar and was not aware of the same being stolen one.

Further, he is in custody since 12.06.2023 (as stated in paragraph 11 of the petition) but no T.I.Parade has been conducted. His last submission is that he do not have criminal antecedent.

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

Considering the submissions put forward by the learned Counsel for the petitioner, has remained in custody since 12.06.2023, no T.I.Parade conducted and has no criminal antecedent, 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 Chief Judicial Magistrate, Purnia in connection with Tikapatti P.S. Case No. 58 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 *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 next six months 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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