

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56684 of 2023

Arising Out of PS. Case No.-422 Year-2021 Thana- RUPASPUR District- Patna

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ROHIT KUMAR @ CHHOTU SON OF GAURI SHANKAR PRASAD
RESIDENT OF VILLAGE - NOSHA (PHULWARISHARIF), NEURA, P.S. -
PHULWARISHARIF, DISTRICT - PATNA

... .. Petitioner/s

Versus

STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-08-2023 Heard the parties.

The petitioner is an accused in connection with
Rupaspur P.S. Case No. 422 of 2021 registered for the offences
under sections 356 and 379 of the Indian Penal Code lodged on
21.08.2020 by the informant, Sugriv Singh.

As per the prosecution story, the allegation is that
while on morning walk, the informant was relieved of the gold
chain. Accordingly, the FIR.

Learned Counsel for the petitioner submits that he has
not been named in the FIR and he is such a poor person that he
could not come before Patna High Court after the rejection of
his bail application before the Sub-ordinate Court.

Learned APP for the State, on the other hand, opposes



the prayer for bail.

Taking into account the fact that he has remained in custody since 26.10.2021 (as stated in paragraph 13 of the bail application), FIR lodged and will be facing the trial, 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 A.C.J.M., Danapur, Patna in connection with Rupaspur P.S. Case No. 422 of 2021, 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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