

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56354 of 2023

Arising Out of PS. Case No.-408 Year-2022 Thana- ALOULI District- Khagaria

1. Rohit Kumar Son Of Kamleshwari Yadav Resident Of Village - Rampur Alauli, P.S. - Alauli, District - Khagaria
2. Adalat Kumar Son Of Garib Yadav Resident Of Village - Rampur Alauli, P.S. - Alauli, District - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-08-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

3. The petitioners seek regular bail in connection with
Alauli P.S. Case No. 408 of 2022, G.R. No. 2466 of 2022 dated
02.09.2022, lodged under Section 392 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against three unknown accused persons.

5. Learned counsel for the petitioners submits that the
petitioners are innocent and have committed no offence.
Counsel submits that the name of the petitioners have figured in

this case by virtue of the confessional statement of co-accused. Counsel submits that the antecedent of the petitioners are clean. Counsel submits that nothing incriminating have been recovered from their possession nor they were put on T.I.P. Counsel submits that petitioner no. 1 is in custody since 19.03.2023 and petitioner no. 2 is in custody since 27.03.2023.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 408 of 2022, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioners 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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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