

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54798 of 2023

Arising Out of PS. Case No.-315 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

PRINCE KUMAR SINGH @ PRINCE RAI S/o ASHWANI KUMAR RAY
R/o vill - Pipra, P.S. - Nautan, Dist. - Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prince Kumar Mishra, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Muffasil P.S. Case No.315 of 2023 instituted under Section 379 of the Indian Penal Code lodged on 07.06.2023 by the informant Mahendra Prasad.

As per the prosecution story, the Scorpio was seized by the police in connection with Mufassil P.S. Case No.310 of 2023 and one fine morning it went missing. The suspicion of the police is that the owner took away the car. Accordingly, the FIR.

It is the case of the petitioner that he is the driver, there is no recovery of Scorpio from his place, is also student and has done ITI course but has been dragged in this case and suffered by being in custody since 10.06.2023.

Learned APP on the other hand submits that he do have criminal antecedent.



It is deplorable that the police cannot protect a car which has been seized by it and has to lodge FIR. So far as the present case is concerned, there is no such recovery of Scorpio from the petitioner, he has remained in custody since 10.06.2023, 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 Muffasil P.S. Case No.315 of 2023 to the satisfaction of learned Incharge Additional Chief Judicial Magistrate, Ist, Siwan, 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 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 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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