

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56674 of 2023

Arising Out of PS. Case No.-57 Year-2022 Thana- PIYAR District- Muzaffarpur

RAVI KUMAR S/O UMESH KUMAR SINGH R/O VILLAGE- AGRAIL
CHAMPAPUR, P.S- BALIGAON, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Piar P.S. Case No. 57 of 2022 for the offence punishable under Section 392 of the Indian Penal Code lodged on 16.3.2022 by the informant, Ajit Kumar.

As per the prosecution story, the allegation is that informant posted as Manager, Bharat Finance Inculzar Ltd. and while returning, intercepted by accused persons snatched his motorcycle and looted Rs. 34,000/- plus Laptop kept in the dickey. Accordingly, the FIR.

It is the case of the petitioner that he is not named in the FIR rather his name has come in the confessional statement of Nitish Kumar. Though, he has remained in custody since 5.9.2022, no TIP conducted. However, he concedes that he has



criminal antecedent.

Learned APP opposes the prayer stating that he has almost half dozen cases of the same nature.

Considering the the fact that his name has come in the confessional statement but no TIP conducted, this Court is inclined to extend him the privilege of bail but only after framing of the charges in view of the fact that he has criminal antecedent of the same nature.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate,-1st Class, (East Muzaffarpur), in connection with Piar P.S. Case No. 57 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 his 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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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