

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55663 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- BALIYA District- Begusarai

SHRAVAN KUMAR S/O KAUSHAL KISHORE SINGH R/O VILLAGE-
BAHADUR- NAGAR, HARI TOLA, PS. MUFFASIL, DIST. MUNGER

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Ballia Town P.S. Case No. 90 of 2023 for the offence punishable under Sections 379, 411, 414 of the Indian Penal Code lodged on 3.4.2023 by the informant, Shashi Suraj Kumar .

As per the prosecution story, a motorcycle was stolen which led to lodging of the FIR.

It is the case of the petitioner that during the investigation, one Amar Kumar confessed to the crime and named this petitioner. The motorcycle was subsequently recovered from a nursing home.

It is further submission that the said Amar Kumar has been granted bail by the sub-ordinate Court itself.



Learned APP opposes the prayer stating that his name has come in the confessional statement.

Taking into account the submission put forward by the learned counsel for the petitioner as also the fact that that the person who confessed to the crime, Amar Kumar, has since been granted bail, as stated above, he is in custody since 5.4.2023 (para-1 of the petition), this Court is inclined to extend him the privilege of bail with conditions.

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 Chief Judicial Magistrate, Begusarai, in connection with Ballia Town P.S. Case No. 90 of 2023 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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