

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57678 of 2023

Arising Out of PS. Case No.-405 Year-2017 Thana- DALSINGHSARAI District- Samastipur

RAMAN KUMAR @ ABHINAV S/O MOHAN SINGH @ MOHAN
PRASAD SINGH R/O VILLAGE- MADHURAPUR, DAKSHINI TOLA,
P.S- TEGHRA, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2023

Heard the parties.

The petitioner is in custody in connection with Sessions Trial No. 533 of 2019 arising out of Dalsinghsarai P.S. Case No. 405 of 2017 for the offence under sections 395, 412 of the Indian Penal Code lodged on 14.12.2017 by the informant, Arjun Prasad.

As per the prosecution story, the allegation is that the accused persons came to his grocery shop and took away cash as also mobile and other gazettes and lastly, one motorcycle that was parked outside the shop. Accordingly, the FIR.

Learned counsel for the petitioner submits that only because he has criminal antecedent, the Police keep on implicating and forced him to make confession accepting the



crime. Though he accepts that on his confession, some articles were recovered from one Golu Kumar who has since been granted bail vide Cr. Misc. No. 2931 of 2020 (Annexure P/2 to the petition).

The further submission is that he is in custody since 11.05.2018 (as stated in paragraph 9 of the petition).

Learned APP opposes the prayer for bail stating that he has criminal antecedent of the same nature.

Taking into account the submissions put forward by the learned counsels for the parties as also that the similar situate co-accused has since been granted bail, as stated above, is in custody since 11.05.2018, this Court is inclined to extend him the privilege of bail as it has been submitted that charges have already been framed in the matter.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.D.J.- IX, Samastipur, in connection with Sessions Trial No. 533 of 2019 arising out of Dalsinghsarai P.S. Case No. 405 of 2017 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/her 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 till the conclusion of the trial 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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