

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56162 of 2023

Arising Out of PS. Case No.-242 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Shivam Kumar Son Of Nityanand Singh Resident Of Village- Pagra, Ps-
Dalsinghsarai , Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dalsinghsarai P.S. Case No.242/2023, lodged on 09.06.2023
under Sections 457, 411, 380 of the Indian Penal Code.

3. As per the prosecution, the theft has been
committed at the house of the informant when he went along
with his family members to attend a marriage ceremony of his
relative. From the place of occurrence, one person was
apprehended who disclosed his name as Raja Kumar. The
apprehended accused further disclosed the name of the
petitioner in this case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The name of



the petitioner has figured in this case only on the basis of confessional statement of co-accused. Neither any recovery has been made from the possession of the petitioner nor the petitioner has put on Test Identification Parade. He further submits that the antecedent of the petitioner is clean and he is in custody since 10.06.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1, Dalsinghsarai, Samastipur, in connection with Dalsinghsarai P.S. Case No. 242/2023, 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 bonds by the Trial Court itself;



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

(iv) the petitioner 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 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.

(Dr. Anshuman, J)

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