

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59257 of 2023

Arising Out of PS. Case No.-263 Year-2023 Thana- BEUR District- Patna

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JAICKY KUMAR @ JAICKI KUMAR S/O KRISHNA KEWAT@
BHUSHAN KEWAT R/O MOHALLA- MALLAHCHAK KUTIYARPAR,
P.S AND DISTT.- JEHANABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-09-2023 Heard the parties.

2. The petitioner is in custody in connection with Beur P.S. Case No. 263 of 2023 for the offence under sections 401, 414, 467, 468, 471 of the IPC and section 25(1-b)a, 26/35 of the Arms Act lodged on 01.04.2023 by the informant, Atulesh Kumar.

3. As per the prosecution story, the Police alleges that during patrolling, apprehended accused persons alongwith USA made pistol, four live cartridges and different keys of motorcycle. So far as this petitioner is concerned, from his possession, two live cartridges and a motorcycle were found. Accordingly the FIR.

4. Learned counsel for the petitioner submits that the



Police only to implicate him as he has criminal antecedent, has foisted this case upon him for which he has already suffered by being in custody since 01.04.2023 (as stated in paragraph 8 of the petition).

5. Learned APP opposes the prayer for bail stating that he has criminal antecedent.

6. Taking into account the submissions put forward by the parties, is in custody since 01.04.2023, FIR lodged, will be facing the trial, chargesheet stands submitted, this Court is inclined to extend him the privilege of bail after framing of the charges.

7. Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Patna, in connection with Beur P.S. Case No. 263 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/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 every fortnight for 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.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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