

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57902 of 2023

Arising Out of PS. Case No.-456 Year-2022 Thana- BUXAR District- Buxar

RAJNISH CHOUDHRY @ RAJNISH KUMAR CHOUDHRY @ RAJNISH KUMAR son of Bashishth Choudhary @ Anil Kumar Village- Karmaini Ps- Sanjhauli Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Md. Iftexhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is in judicial custody in connection with Buxar Nagar P.S. Case NO. 456 of 2022 registered under Section 379 of the Indian Penal Code lodged on 13.08.2022 by the informant, Vinod Singh.

As per the prosecution story, the informant alleged that he went to the Court to attend the National Lok Adalat on 13.08.2022 and upon return, found the motorcycle missing. Accordingly, the FIR.

The police investigated the matter and arrested two co-accused persons, namely, Akash Kumar & Chandan Kumar and in their confessional statement, the name of the petitioner



cropped up.

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

Taking into account the fact that name of the petitioner came in the confessional statement of co-accused persons, Aksh Kumar and Chandan Kumar, no T.I. parade has been conducted and he is in custody since 08.06.2023, this Court is inclined to grant him privilege of bail only after framing of the charge in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail after framing of charge on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar Nagar P.S. Case No. 456 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/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/her



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 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 his 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 the bail bonds.

(Rajiv Roy, J)

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