

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57699 of 2023

Arising Out of PS. Case No.-78 Year-2023 Thana- MANSI District- Khagaria

=====

BABUSAHEB KUMAR @ SATYA S/O- SHATRUDHAN YADAV R/O-
VILLAGE- UTESARA, WARD NO.- 03, P.S.- SALAKHUA, DIST.-
SAHARSA (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR , PATNA

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhubneshwar Mahto, Advocate

For the Opposite Party/s : Mrs. Shaheen Begum, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2023 Heard the parties.

The petitioner is in custody in connection with Manasi P.S. Case No. 78 of 2023 for the offence under section 392 of the Indian Penal Code and later on section 411 of IPC is added lodged on 24.03.2023 by the informant, Manish Kumar.

As per the prosecution story, the allegation is that the Police intercepted a motorcycle which was alleged to have been robbed by the accused persons, seizure made, they were arrested and the FIR lodged.

Learned counsel for the petitioner submits that he had nothing to do with the said motorcycle, one Ishwar had come with the said motorcycle, he being his friend, only was there as a pillion rider for which he has already suffered by being in



custody since 21.04.2023 (as stated in paragraph 10 of the petition) and further, the motorcycle is alleged to have been robbed, no T.I. parade conducted.

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

Taking into account the submissions put forward by the learned counsel for the petitioner, he was a pillion rider, despite he being in custody since 21.04.2023, no T.I. parade conducted, 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) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria, in connection with Manasi P.S. Case No. 78 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 month for one year 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)

kiran/-

U		T	
---	--	---	--

