

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58839 of 2023

Arising Out of PS. Case No.-408 Year-2023 Thana- FATEHPUR District- Gaya

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ASHOK KUMAR SON OF SRI YADAV RESIDENT OF VILLAGE -
PURANI BATHAN, P.S. - FATEHPUR, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-09-2023 Heard the parties.

The petitioner is in judicial custody in connection with Fatehpur P.S. Case No. 408 of 2023 for the offence punishable under Sections 414, 467, 468 of the Indian Penal Code lodged on 9.6.2023 by the informant, Birendra Singh.

As per the prosecution story, in course of the patrolling, intercepted a Bolero and upon demand of paper, the accused persons failed to provide the same. Accordingly, the seizure, arrest, FIR.

It is the case of the petitioner that he was driver of the vehicle which was provided by the owner, Devan Yadav and he had little knowledge that it is stolen vehicle for which he has already suffered by being in custody since 11.6.2023 (para-10 of the petition).



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

Considering the fact that he is the driver of the vehicle, FIR lodged, will be facing the trial and is in custody since 11.6.2023, 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) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Gaya, in connection with Fatehpur P.S. Case No. 408 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 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 next 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)

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