

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68602 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- KHODAWANDPUR District- Begusarai

Rajeev Kumar son of Late Ram Chandra Thakur Village- Bara Ps-
Khodawandpur Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Khodawandpur P.S. Case No. 02 of 2023 dated 01.01.2023,
lodged under Section 392 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against four unknown accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the name of the petitioner has come in this case by
virtue of the confessional statement of the co-accused. Counsel
submits that the petitioner has not named in the F.I.R. Counsel
submits that nothing incriminating has been recovered from the
possession of the petitioner nor he was put on T.I.P. Counsel

also submits that there is one criminal case pending against the petitioner in which he is on bail and he is in custody since 10.04.2023.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clean and he is accused in similar nature of cases.

6. In response, counsel for the petitioner submits that the Section in which petitioner has been charged is magisterial triable in nature.

7. 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 Only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No. 02 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other 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.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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