

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68439 of 2023

Arising Out of PS. Case No.-435 Year-2023 Thana- NAGAR District- Vaishali

Arjun Kumar @ Arjun Kumar Ram Son of Surendra Ram R/o Village - Kashi
- Chhapra, P.S.- Baru Raj, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, 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
Hajipur Town P.S. Case No. 435 of 2023, lodged on 08.06.2023,
under Sections 413/414/34 of the I.P.C.

3. As per the prosecution case, the FIR has been
lodged against two named accused persons including the
petitioner.

4. Learned counsel for the petitioner submits that the
FIR has been lodged and petitioner has been apprehended at the
place of occurrence. He submits that motorcycle has been
recovered from his possession. Counsel submits that the said
motorcycle belongs to relative of his friend, who has been
apprehended. Counsel further submits that the said other co-



accused has been granted bail by a coordinate Bench of this Court vide order dated 30.08.2023 passed in Cr. Misc. No.56644 of 2023. Counsel further submits that there are four criminal cases pending against the petitioner and in all four cases he is on bail. Counsel further submits that he is in custody since 08.06.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clean but admits that other co-accused has been granted bail by a coordinate Bench of this Court.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be released on bail **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No.435/2023, 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 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.

(Dr. Anshuman, J)

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