

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73247 of 2023

Arising Out of PS. Case No.-250 Year-2023 Thana- SABAUR District- Bhagalpur

ROHIT KUMAR son of Pramod Mandal Village- Shankarpur Ps- Sabaur
Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-11-2023 Heard Mr. Ajit Kumar Singh, learned counsel for
the petitioner and the State.

2. The petitioner is in custody in connection with Sabaur P.S. Case No. 250 of 2023 for the offence under section 395 of the Indian Penal Code lodged on 01.05.2023 by the informant, Rishi Kumar.

3. As per the prosecution story, on gun point, the accused persons looted the informant and relieved him of his mobile and cash. It further came to notice that they had also looted Pick-up Van. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that his name has come in the confessional statement of co-accused, but despite his being in custody since 22.05.2023(as stated in paragraph 12 of the petition), no T.I. parade conducted nor



anything has been recovered from his conscious possession and he do not have criminal antecedent.

5. Learned APP opposes the prayer for bail.

6. Taking into account the aforesaid submissions put forward by the learned counsel for the parties as also the fact that his name has come in the confessional statement, nothing has been recovered nor T.I. parade conducted and he do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. If, however, it is found that the petitioner has criminal antecedent, the bail order shall become infructuous.

8. 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 C.J.M., Bhagalpur, in connection with Sabaur P.S. Case No. 250 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 fortnight for six months 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.

9. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

kiran/-

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

