

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73645 of 2023

Arising Out of PS. Case No.-427 Year-2022 Thana- AMAS District- Gaya

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ROSHAN KUMAR SON OF ADITYA RAVIDAS R/O VILLAGE-
KARAMDIH, P.S.- AMAS, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Amas P.S. Case No. 427 of 2022 registered under Sections 386, 387 and 34 of the Indian Penal Code lodged on 21.10.2022 by the informant, Raushan Kumar Gupta

As per the prosecution story, the allegation is that the informant who runs a firm alleged that the accused persons came and after torturing the labours and taking their respective mobiles (five), demanded Rs. 1 lakh or to face the consequence. Accordingly, the FIR.

Learned counsel for the petitioner submits that his name has come in the confessional statement of Guddu Kumar but despite him being in custody since 30.10.2022 (as stated in



paragraph-14 of the petition) no T.I. parade conducted till the filing of the present petition. The further submission is that some of the similar place co-accused, namely, Kamlesh Yadav, Nitish Kumar @ Ajay Prasad and Munna Kumar @ Pawan Kumar have been released on bail by a co-ordinate Bench of this Court, as contained in Annexure- P/2 series.

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

Considering the aforesaid submissions put forward by the learned counsel for the petitioner as also the fact that similar placed co-accused persons have been granted bail, no T.I. Parade conducted and he is in custody since 30.10.2022, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge, Sherghati, Gaya in connection with S.Tr. No. 771 of 2023/1483 of 2023 arising out of Amas P.S. Case No. 427/2022, 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/her 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 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 his 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 the bail bonds.

(Rajiv Roy, J)

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