

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73340 of 2023

Arising Out of PS. Case No.-282 Year-2022 Thana- BANMANKHI District- Purnia

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BIPIN RAM @ BIPIN KUMAR SON OF SHIVAN RAM RESIDENT OF
VILLAGE- GORURAHA BISHANPUR WARD NO 5, PS- NARPATGANJ,
DIST- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-11-2023 Heard the parties.

2. The petitioner is in custody in connection with Banmankhi P.S. Case No. 282 of 2022 for the offence under sections 392, 411 of the Indian Penal Code and later on section 395 and 412 of the IPC was added lodged on 21.08.2022 by the informant, Arvind Kumar.

3. As per the prosecution story, the informant has alleged that he was the Branch Manager of State Bank of India, Forbesganj and when he was going to his in-laws house on motorcycle saw accused persons on two motorcycles, surrounded him and looted away the motorcycle on gun point. Further in the light of tractor, he could see the motorcycle of the accused persons as they tried to flee, the driver of the tractor



started chasing them and they had to leave one of the motorcycle while escaping with the other one. Subsequently, the FIR. One Saroj Kumar Ram was later arrested and on his confession, the motorcycle recovered from the house of this petitioner.

4. Learned counsel for the petitioner submits that Saroj Kumar Ram is his brother-in-law, has fallen in criminal activities and in that process, he may be involved in the alleged looting of the motorcycle. So far as the petitioner is concerned, Saroj Kumar Ram being brother-in-law, brought the motorcycle and told him that the same was punctured and parked it in his house. As a result, he came to be implicated in this case. He has taken this Court to the confessional statement of Saroj Kumar Ram to show that what has been stated in the petition has exactly been narrated by him in his confessional statement.

5. Learned APP opposes the prayer for bail stating that both the brother-in-laws were involved in the alleged act.

6. Considering the fact that the accused Saroj Kumar Ram has stated that he has parked the motorcycle in the house of his brother-in-law (the petitioner herein), he in custody since 07.08.2023 and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.



7. 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 Additional Chief Judicial Magistrate 1st, Purnea, in connection with Banmankhi P.S. Case No. 282 of 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 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.

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

(Rajiv Roy, J)

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