

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73928 of 2022

Arising Out of PS. Case No.-141 Year-2022 Thana- UCHKAGAON District- Gopalganj

SANDIP KUMAR SON OF PRABHU MAHTO R/O VILLAGE- SAREYA
WARD NO.5, P.S.- TOWN, DISTRICT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Uchkagaon P.S. Case No. 141 of 2022 instituted under Sections 414, 420, 467, 468 and 471/34 of the I.P.C. lodged on 16.05.2022 by the informant Ajit Kumar.

As per the FIR, on 16.05.2022 at 12:30. A.M., informant Ajit Kumar along with police party reached at Sant More Tinmuhani and were checking the vehicles. During the course of checking, he saw two persons coming from Thawe side. The informant tried to stop them but they tried to escape. The informant apprehended both persons and when demanded papers of vehicle, as they failed to show, were arrested followed



by the F.I.R.

Learned counsel for the petitioner submits that he is a daily wager and had no role to play in the matter, was picked up from his house and after sometime implicated in the present case.

Learned APP opposes the prayer stating that the police intercepted the motorcycle, as they failed to show its document were taken into custody.

Considering the fact that from the FIR it is not clear whether the motorcycle that the petitioner was riding along with other co-accused was a stolen one, only on the basis of non-production of document they were taken into custody, is in jail since 17.05.2022 (para-4) and is only 22 years of age, this Court is inclined to extend him privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Uchkagaon P.S. Case No. 141 of 2022 to the satisfaction of learned A.C.J.M. IX, Gopalganj , subject to 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 fortnight for next six months 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 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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