

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75028 of 2022

Arising Out of PS. Case No.-80 Year-2021 Thana- PUNAURA District- Sitamarhi

=====

UMESH CHAUDHARY S/o Ramsewak Choudhari R/o Village- Kachaur,
P.S.- Kanhauli, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-01-2023 Heard the parties.

The petitioner is in judicial custody in connection with Punaura P.S. Case No. 80 of 2021 for the offence registered under Section 395 of the Indian Penal Code.

The petitioner had earlier moved before this Court vide Cr. Misc. No. 51544 of 2021 which was rejected on 19.5.2022.

As per the prosecution story, the informant who is Manager of New Majorganj Automobile Hero Agency alleged that when he was going with Rs. 17 lakhs in a bag of the said 'Agency' on a motorcycle, three persons intercepted him and snatched the bag on the point of pistol. Accordingly, the aforesaid FIR against unknown was registered.



Learned counsel for the petitioner submits that he has already suffered by being in custody since 26.6.2021 and similar situate Kaushal Rai has since been released on bail by a coordinate bench of this Court (Annexure-4 to the bail application).

It is his further submission that the petitioner shall be cooperating in the trial.

Taking into account the period of incarceration as also the fact that he will be cooperating in the trial, this Court is inclined to grant him the privilege of bail with conditions.

Let the petitioners namely be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J.-II, Sitamarhi, in connection with Punaura P.S. Case No. 80 of 2021 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 fortnight for next 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

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

