

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20808 of 2024

Arising Out of PS. Case No.-196 Year-2023 Thana- WARISNAGAR District- Samastipur

CHHOTU KUMAR S/O SHOBHA RAY R/V- SALAMPATTI, P.S-
KHANPUR, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-06-2024 Heard Mr. Ajay Kumar, learned counsel for the
petitioner and the State.

2 The petitioner is in judicial custody in connection with Warisnagar PS Case No 196 of 2023 registered for the offence punishable under sections 379, 411 of Indian Penal Code lodged on 05.06.2023 by the informant, Prince Kumar.

3 As per the prosecution story, the allegation is that the petitioner was trying to take away the motorcycle of the informant but was nabbed by the public which followed the FIR.

4. Learned counsel for the petitioner submits that there was some chaos and only because he has criminal antecedent, the public picked him up alleging theft of motorcycle, was thrashed and also taken into custody. He further submits that the petitioner has already suffered by being in



custody since 04.06.2023 and he will be diligently appearing in trial, if granted bail.

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

6. Though the petitioner has criminal antecedent, he is in custody since 04.06.2023, charge sheet stands submitted and as per the learned counsel for the petitioner, he will be diligently appearing in trial, 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 J.M. 1st Class, Samastipur, in connection with Warisnagar PS Case No 196 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative 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.

(Rajiv Roy, J)

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