

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25272 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- MANSI District- Khagaria

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SACHIN KUMAR S/O GHANSHYAM KUMAR R/O VILLAGE- UTESRA,
WARD NO. 04, P.S- SALKHUA, DISTT.- SAHARSA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Mansi P.S. Case No. 78 of 2023 registered under Sections 392 and 411 of the Indian Penal Code lodged on 24.03.2023 by the informant, Manish Kumar.

3. As per the prosecution story, the allegation is that the Police intercepted a motorcycle which was alleged to have been robbed by the accused persons, seizure made, they were arrested and the FIR Lodged.

4. Learned counsel for the petitioner submits that his name has come in the confessional statement of one Ishwar Kumar, nothing has been recovered from his conscious possession and further only because he has criminal antecedent,



he is in custody. His last submission is that the said Ishwar Kumar has since been extended the privilege of bail vide order dated 20.02.2024 passed in Cr. Misc. No. 8133 of 2024.

5. Learned APP for the State opposes the prayer for bail stating that he has criminal antecedent.

6. Taking into account the aforesaid case as also that the persons on whose confession the petitioner has been named has since been granted bail, as stated above, FIR lodged and will be facing the trial, this Court is inclined to grant him privilege of bail.

7. 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 Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 78 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/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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