

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40424 of 2024

Arising Out of PS. Case No.-510 Year-2021 Thana- DHAKA District- East Champaran

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Keshaw Kumar S/O Parshuram Thakur @Parshuram Singh R/O VILL -
GOREGAWAN, P.S. - KUNDWA CHAINPUR, DIST - EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Dhaka P.S. Case No. 510 of 2021 registered under Sections 395 of the Indian Penal Code lodged on 26.10.2021 by the informant, Sunaina Devi.

3. As per the prosecution story, five accused persons barged into the home of the informant and after threatening her, decamped with all valuables present in the house. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that his name has cropped up in the confessional statement of Santosh Thakur @ Santosh Janak Thakur which followed his judicial custody since 30.05.2023 (as stated in paragraph-11 of the



petition) but nothing has been recovered from his conscious possession nor any Test Identification Parade was conducted in the matter. He further submits that similar situated accused, Santosh Thakur @ Santosh Janak Thakur has been extended the privilege of bail vide order dated 02.09.2022 passed in Cr. Misc. No. 28482 of 2022. Last submission is that he has been dragged in this case only because he has criminal antecedent and is ready to abide by the terms and conditions as imposed by this Court.

5. Learned APP for the State opposes the prayer for bail submitting that his name has come in the confessional statement of Santosh Thakur @ Santosh Janak Thakur.

6. Taking into account the aforesaid facts and also that despite he is being in custody, no T.I. Parade conducted nor anything has been recovered from his possession and similar situated co-accused has been granted bail, this Court is inclined to grant him privilege of bail.

7. If however, it is found that contrary to the submissions there has been recovery from his side, the order shall become infructuous.

8. 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 S.D.J.M.,



Sikrahana at Dhaka, East Champaran, Motihari in connection with Dhaka P.S. Case No. 510 of 2021 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 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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