

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59696 of 2024

Arising Out of PS. Case No.-1036 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Prince Kumar Son of Late Amod Rai Resident of Village - Senduari, P.S.-
Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Shankar Prasad, Advocate
For the State	:	Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-09-2024 Heard the parties.

2. The petitioner is in custody in connection with Hajipur Sadar P.S. Case No. 1036 of 2022 for the offence punishable under sections 392 of the Indian Penal Code lodged on 19.12.2022 by the informant, Aryan Kumar.

3. As per the prosecution story, the informant alleged that as per allegation while returning after collecting the amount of a Finance Company, petitioner being an employee accused persons dash his scooty and once fell down took away bag containing Rs.44,540/- as also other credentials. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that erroneously, nine antecedents were marked in column 3 of the petition and upon knowledge, supplementary affidavit was filed



bringing on record the additional cases. The submission that the police has made it a routine, that in any case of robbery, he implicated and that way he has become an accused in the present case also. The petitioner was arrested on 26.03.2023 and in this case was remanded on 26.04.2023, if granted bail, he shall be diligently appearing in trial on each and every date.

5. Learned APP opposed the prayer opposed the prayer submitting that he has eleven criminal antecedent under his belt.

6. Though, the allegations is there against this petitioner, charge sheet has been submitted and the petitioner through his lawyer has given an undertaking to diligently appear in trial, considering his period of custody, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner 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 Judicial Magistrate, 1st Class, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 1036 of 2022, 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 months till conclusion of the trial 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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