

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58973 of 2024

Arising Out of PS. Case No.-218 Year-2023 Thana- NARHATT District- Nawada

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Gulshan Kumar @ Golu Son of Lalo Vishwkarma Resident Of Village- Tungi
Manjhwe (Tungi), PS- Hisua District -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-09-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Narhat P.S. Case No. 218 of 2023 for the offence punishable under Section 392 of the Indian Penal Code lodged on 15.05.2023 by the informant, Yogendra Singh.

3. As per the prosecution story, the allegation is that the poor auto driver was asked to drop the accused persons on payment. However, later, he was beaten and money was also looted as well s the mobile. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he has already suffered by being in custody since 23.06.2023 (para-7 of the petition) and further undertakes to diligently appear in trial.

5. Learned APP opposes the prayer submitting that he



has criminal antecedent.

6. Though the petitioner has criminal antecedent, has remained in custody since 23.06.2023 and as per the contention of the learned counsel for the petitioner that he will be diligently appearing in the 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) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Nawada, in connection with Narhat P.S. Case No. 218 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 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 month 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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