

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56668 of 2024

Arising Out of PS. Case No.-204 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Utsav Bharat SON OF DILIP KUMAR @ SHARAVAN RAY @ DILIP
KUMAR RAY VILLAGE- HARPUR SAIDABAD, WARD NO. 03, PS-
SHAHPUR PATORY, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Prasad Roy, Adv

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-09-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Patory P.S. Case No. 204 of 2024 for the offences punishable under Sections 399, 402/34 of the Indian Penal Code and Section 25(1-b) (a), 26, 35 of the Arms Act lodged on 06.06.2024 by the informant, Pramod Kumar Mandal.

3. As per the prosecution story, the police upon secret information about some miscreants near Ganga river, raided the said place and apprehended the accused persons. Further, it has shown recovery of country made revolver and live cartridges besides mobile phones. So far as this petitioner is concerned, there is recovery/seizure of country made revolver and two live cartridges. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he



is a student, nothing to do with the alleged occurrence, the police on suspicion implicated for which he has already suffered by being in custody since 07.06.2024 (para-11 of the petition).

5. Learned APP opposes the prayer stating that there is recovery from the petitioner.

6. Though the police has alleged recovery, as per the document attached in this petition, he is a student of ITI, has remained in custody since 07.06.2024 and has got no criminal antecedent, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, 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, Samastipur in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member 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 for next 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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