

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64310 of 2024

Arising Out of PS. Case No.-474 Year-2024 Thana- DANAPUR District- Patna

Raushan Kumar @ Mithilesh Kumar S/O Baijnath Rai R/O Village- New
Kharanja Road, Mainpura, Saguna, P.S- Danapur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raushan Kumar, Advocate Mr. Sunil Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-12-2024 Heard Mr. Raushan Kumar, learned counsel for the
petitioner and Mr. Sanjay Kumar, learned APP for the State.

2. The petitioner is in custody in connection with
Danapur P.S. Case No. 474 of 2024 for the offence under
Section 380 of the Indian Penal Code lodged on 28.05.2024 by
the informant, Deepak Kumar.

3. As per the prosecution story, the informant alleged
that in between 01:00 AM and 03:00 AM, the accused entered
his house and besides laptop and mobiles, certain jewelry also
were taken away. This led to the F.I.R.

4. Learned counsel for the petitioner submits that
during investigation, one Chintu Kumar was arrested from
whom, mobile was recovered. He gave the name of this



petitioner and upon raid, laptop was recovered from him which led to his implication. It is his further submission that actually, he had purchased the laptop from one Amit Kumar who is also a co-accused, though the police claims that stolen laptop has been recovered from his possession, it was never put on TI Parade, he do not have criminal antecedent and is in custody since 24.06.2024 (para-15 of the petition). Further, if extended relief, he shall be leaving the district for three months and stay to any neighbouring district after providing all the details of his place of stay to the local police station and putting in his attendance in the said police station.

5. Learned APP opposes the prayer for bail submitting that his name has come in the confessional statement and laptop has also been recovered from him.

6. Taking into account the submissions as also the fact that the laptop recovered/seized has not been put on TI parade, he is in custody since 24.06.2024, having no criminal antecedent and undertaking has been given that he shall be leaving the district for three months, this Court is inclined to extend him the privilege of bail with conditions that at the time of execution of bail bonds, he shall be providing the entire address of his stay for next three months and will be appearing before the police



station every fortnight there and upon return to the district, he shall be appearing before the police station where the FIR is lodged, every fortnight for next nine months.

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 Additional Chief Judicial Magistrate-1st, Danapur, Patna in connection with Danapur P.S. Case No. 474 of 2024 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 the 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 every fortnight for three months before the local police station of neighbouring district where he stays and shall appear every fortnight for further nine months before the police station where F.I.R. is lodged 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 bail bond.

(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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