

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71751 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- Bankebazar District- Gaya

Rahul Kumar Son of Manoj Das RO Village- Diguriya Bigha Tola, Shankar Bigha, P.S.- Bankey Bazar, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-10-2024 Heard Mr. Sudhir Kumar Sinha, learned counsel for
the petitioner and the State.

2. The petitioner is in custody in connection with Bankeybazar P.S. Case No. 47 of 2024 for the offence under Section 392 of the Indian Penal Code lodged on 23.05.2024 by the informant, Sonu Chaudhary.

3. As per the prosecution story, the informant alleged that after selling fish, as he was returning, unknown persons stopped him and forcefully took away the mobile and Rs. 6,000/-. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that though he has been arrested as he has friendship with one Subodh Kumar, an accused, has no role to play, is in custody since 28.06.2024 (para-14 of the petition) and has no criminal



antecedent. It is further submission that despite being in jail for almost four month, nothing has been recovered from his possession nor any TI Parade conducted.

5. Learned APP opposes the prayer for bail submitting that his name has come in the investigation.

6. Considering the aforesaid submission and also the fact that the petitioner don't have criminal antecedent and no TI Parade conducted nor anything recovered from his conscious possession, 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 J.M. 1st Class, Sherghati, Gaya in connection with Bankeybazar P.S. Case No. 47 of 2024 subject to the following conditions:

(1) 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 before the concerned police station every month for next one year 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)

Amandeep/-

U		T	
---	--	---	--

