

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78058 of 2024

Arising Out of PS. Case No.-346 Year-2024 Thana- GAYA KOTWALI District- Gaya

Prakash Kumar Son of Late Sidhnath Prasad Resident of Newgodown near Sai Temple, P.S.- Kotwali, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the State : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-11-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Kotwali P.S. Case No. 346 of 2024 for the offences punishable under Section 379 of the Indian Penal Code, lodged on 25.06.2024 by the informant, Sarwar Hussain.

3. As per the prosecution story, the informant alleged that he went to see the Director of the Gyan Jyoti Public School and upon return, found the vehicle missing, this led to the F.I.R.

4. Learned counsel for the petitioner submits that only because of criminal antecedent he has been implicated, nothing has been recovered from his conscious possession and he is in custody since 27.06.2024 (paragraph no.10 of the petition)

5. Learned APP for the State opposes the prayer



submitting that not only the petitioner has criminal antecedent, his name has come in course of investigation.

6. Considering the submissions put forward by the parties as also his period of custody since 27.06.2024, and undertaking has been given that he shall be diligently appearing in trial, 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 Chief Judicial Magistrate, Gaya, in connection with Kotwali P.S. Case No. 346 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 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 fortnight for next one year to mark his attendance;

(iv) the petitioner shall in now 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 bail bonds.

(Rajiv Roy, J)

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