

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77841 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- KAMTAUL District- Darbhanga

Vivek Kumar S/O Pranay Thakur @ Pranay Kumar Thakur R/O Village -
Brahmapur, P.S-Kamtaul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar Pandey, Advocate
For the State : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Kamtaul P.S. Case No. 155 of 2024 for the offences punishable under Section 379 of the Indian Penal Code, lodged on 10.06.2024 by the informant, Satrudhan Kumar Sah.

3. As per the prosecution story, the informant alleged that his motorcycle was taken away by unknown persons which led to the F.I.R.

4. Learned counsel for the petitioner submits that because of his criminal antecedent, implicated. Nothing has been recovered from his conscious possession and one Laddu @ Sundaram was apprehended who confessed to the crime and gave his name. Further, the recovery/seizure from the possession of Ankit Kumar Mishra. He is in custody since 16.08.2024



(paragraph no.10 of the petition).

5. Learned APP for the State opposes the prayer submitting that his name has come in the confessional statement.

6. Taking into account the submissions put forward by the parties as also that recovery is from the possession of Ankit Kumar Mishra and his name has come in the confessional statement and is in custody since 16.08.2024, 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 Additional Chief Judicial Magistrate-V, Darbhanga in connection with Kamtaul P.S. Case No. 155 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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