

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77679 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- JAGDISHPUR District- Bhojpur

Nitish Kumar S/O Late Shankar Singh R/O Vill- Dehri, P.S.- Udawantnagar,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhat Kumar Singh, Adv. Ms. Priya, Adv.
For the Opposite Party/s	:	Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-11-2024 Heard Ms. Priya, learned counsel for the petitioner
and Mr. Yogendra Kumar, learned APP.

2. The petitioner is in custody in connection with Jagdishpur P.S. Case No. 136 of 2023 for the offence punishable under sections 392 of the Indian Penal Code lodged on 09.04.2023 by the informant, Abhay Raj.

3. As per the written complaint made by the informant after purchasing grocery items as he was returning, the accused on the point of pistol snatched the motorcycle and the mobiles and escaped. This led to the FIR.

4. Learned counsel for the petitioner submits that nothing incriminating has been recovered from his conscious possession nor he has been put on T.I. parade despite being in



custody since 25.02.2024 (para 5 of the petition). Further, the petitioner though have criminal antecedent, some of the co-accused have been extended relief by a Co-ordinate Bench.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent and has further pointed out that while granting relief, the Court concerned had clarified that it will be extended only after framing of the charges.

6. Taking into account the submissions put forward by the parties as also the fact that he is in custody since 25.02.2024, no T.I. parade conducted and nothing incriminating has been recovered from his possession as submitted by learned counsel for the petitioner, following the route of the earlier Bench in Cr. Misc. No. 702 of 2024 (Md. Amber @Raza), this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail after framing of charges on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge Excise Court 1st, Bhojpur at Ara, in connection with Jagdishpur P.S. Case No. 136 of 2023 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/her 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 fortnight for 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 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)

Vijay Singh/-

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