

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78529 of 2024**

Arising Out of PS. Case No.-90 Year-2024 Thana- FESHAR District- Aurangabad

Aman Kumar @ Chiku S/O Ambuj Sharma @ Ambuj Kumar R/O Village-
Pauthu, P.S- Pauthu, District- Aurangabad(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh. Sr. Adv.
Mr.Bhaskar Shankar, Adv.
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 14-11-2024 Heard Mr. Krishna Pd. Singh, learned Senior
Counsel for the petitioner and the State.

2. The petitioner is in judicial custody in connection with Fesar P.S. Case No. 90 of 2024 for the offences punishable under Sections 317 (4), 317(5), 3(5) of BNS, 2023, lodged on 27.08.2024 by the informant, Shweta Kumari.

3. As per the prosecution story, the informant during patrolling duty intercepted a motorcycle with battery hanging in it, as he failed to give any satisfactory answer/document and accepted his guilt regarding theft of the motorcycle/battery, arrest, the FIR.

4. Learned Senior Counsel for the petitioner submits that once criminal antecedent comes, the police implicates and



in this case also he has been taken into custody. Further, if granted relief, he shall not indulge in such activity again and will diligently appear in the trial.

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submissions put forward by the parties as also the fact that he is only 23 years of age, as undertaken by learned Senior Counsel he shall be diligently appearing in the trial, he is in custody since 28.07.2024 (para-13 of the petition), this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, 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 ACJM, Aurangabad in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member 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 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 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)

perwez

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

