

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78091 of 2024

Arising Out of PS. Case No.-287 Year-2024 Thana- BAKHARI District- Begusarai

Lakshman Tanti S/O Shankar Tanti Resident of village - Ismaile Nagar Ward
No.22, P.S. - Bakhri, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Kumar,Adv.

For the Opposite Party/s : Mr.Dinesh 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 Bakhri P.S. Case No.287 of 2024 for the offences punishable under Sections 303(2), 317(2), 3, (5) of Bhartiya Nyaya Sanhita, 2023 lodged on 19.07.2024 by the informant, Md. Shahid.

3. As per the prosecution story, the informant alleged that he along with his wife had gone to Punjab National Bank, Bakhri, parked the scooter outside and upon return found it missing. Having checked the same through CCTV footage, this petitioner as also one Ankit Kumar were seen. The informant went to the place of Ankit Kumar and found his scooter. This led to the FIR.

4. Learned counsel for the petitioner submits that



admittedly, the recovery/seizure is from the house of Ankit Kumar and on his confession, the petitioner has been implicated for which, he has already suffered by being in custody since 30.07.2024 (para-4 of the petition). He however, concede that the petitioner has criminal antecedent and if given a chance, he shall diligently be appearing in the trial.

5. Learned APP opposes the prayer submitting that the recovery took place on the basis of CCTV footage in which this petitioner was also seen.

6. Taking into consideration the submissions put forward by the parties as also that the recovery/seizure is from the house of Ankit Kumar, his name has come on the confession statement, has undertaken to diligently appear in the trial and is in custody since 30.07.2024, 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 Chief Judicial Magistrate, Begusarai 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)

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