

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81008 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- SONBERSHA RAJ District- Saharsa

Arayan Kumar @ Anish Kumar S/O Bachhu Yadav @ Kannu Yadav R/O
village- Naya Tola Jurabganj, P.S- Korha, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Sonbarsa Raj P.S. Case No. 74 of 2024 for the offence under Sections 392/34 of the Indian Penal Code lodged on 29.04.2024 by the informant, Amit Kumar Chaudhary.

3. As per the prosecution story, the informant alleged that he was carrying one lakh rupees and his aadhar card in one plastic bag which was snatched by accused persons on a motorcycle having registration no. XXXXXX0712. The police swiftly acted in the matter and caught hold of the petitioner as also the Nainsu Kumar who was driving the motorcycle which was seized and so far as the recovery of amount is concerned, it has come from one Vinit Yadav.

4. It is the case of the petitioner that though he was



riding the motorcycle, only on account of criminal antecedent, implicated, he has remained in custody since 30.01.2024 (para-4 of the petition) but no TI Parade conducted.

5. Learned APP opposes the prayer for bail submitting that he was already on motorcycle which number was given by the informant.

6. Considering the aforesaid submission as also the fact that despite he being in custody since 30.4.2024, no TI Parade conducted, admittedly the recovery/seizure is from Nainsu Kumar and Vinit Yadav and he has given undertaking to diligently appear in the trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

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, Saharsa in connection with Sonbarsa Raj P.S. Case No. 74 of 2024 subject to the following conditions:

(1) 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 and the 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 bail bond.

(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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