

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81266 of 2024

Arising Out of PS. Case No.-204 Year-2024 Thana- SAHPUR District- Patna

Nikhil Kumar @ Bhola Son of Jitendra Rai @ Jitendra Ray Resident of
Village - Daudpur, P.S. - Shahpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 27-11-2024

Heard the parties.

2. The petitioner is in custody in connection with Shahpur P.S. Case No. 204 of 2024 for the offence under Section 457, 380 of the Indian Penal Code lodged on 21.06.2024 by the informant, Manoj Rai.

3. As per the prosecution story, the informant alleged that when he woke up on some noise, found the petitioner leaving the house. He found his box broken and removal of cash. Subsequently, the petitioner was apprehended and the mobile of the informant was found from his possession which led to his arrest.

4. It is a case of the petitioner that he is a young person, student, nothing to do with the said act and only because of enmity, implicated. Further, he has no criminal antecedent



and has already suffered by being in custody since 22.06.2024 (para-10 of the petition).

5. Learned APP opposes the prayer for bail submitting that there is a recovery/seizure of mobile.

6. Though there is recovery/seizure, F.I.R. lodged, he has remained in custody since 22.06.2024 having no criminal antecedent, is a young person and keeping him in jail will further pollute his mind, 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 Judicial Magistrate 1st Class, Danapur in connection with Shahpur P.S. Case No. 204 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 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 fortnight for next six months 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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