

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.898 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- PIPRA District- East Champaran

Golu Kumar S/O Devnandan Bhagat R/O Village- Mahuawa, P.S- Pipra,
Distt.- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Pipra P.S. Case No. 194 of 2023 lodged under Section 392 of
the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against three unknown accused persons against whom
the allegation of robbery of motorcycle, cash of Rs.83,630/- and
one mobile tab is there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the alleged articles i.e., motorcycle, samsung company tab
and cash of Rs. 23,000/- have been recovered which is apparent
from the seizure list itself, but it has been recovered at the



nearby place from the place of occurrence. Counsel submits that petitioner's name has figured in this case by virtue of confessional statement of one Rakesh Kumar who has been granted bail by the Co-ordinate Bench of this Court vide order dated 15.01.2024 passed in Cr. Misc. No. 84931 of 2023.

5. Counsel submits that petitioner's antecedent is clean and he is in custody since 02.09.2023 and charge-sheet has already been filed in this case.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Pipra P.S. Case No. 194 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J.)

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