

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.711 of 2024

Arising Out of PS. Case No.-16 Year-2020 Thana- MANSI District- Khagaria

Pravin Kumar @ Praveen Ray @ Tiger son of Arvind Yadav @ Arvind Kumar
Amar resident of village- Shishwa, P.S. Alauli, District Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Mansi P.S. Case No.16 of 2020, lodged on 14.01.2020, under
Section 392 of the Indian Penal Code.

3. As per the prosecution, the allegation of snatching
of Mobile, Rs.25,000/-, TVS Apache motorcycle and gold chain
are upon the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that there is one named accused persons in the case who has
been granted bail by a co-ordinate Bench of this Court vide
order dated 22.12.2020 passed in Cr. Misc. No.34586 of 2020.
Counsel further submits that nothing has been recovered from



the possession of the petitioner nor Test Identification Parade has been made. He submits that his name has come by virtue of confessional statement of Babloo Mandal and Satan Mandal. The said has been granted bail by a coordinate Bench of this Court vide order dated 28.08.2023 passed in Cr. Misc. No.45024 of 2023. On the point of criminal antecedent, counsel for the petitioner submits that there are four criminal antecedent against the petitioner and he is on bail in all cases. Counsel further takes plea that one Bibodh Yadav having more criminal antecedents than the petitioner has been granted bail by this Court vide order dated 09.03.2022 passed in Cr. Misc. No.52879 of 2021 against whom there are six criminal cases pending.

5. Upon perusal of the bail order of Bobodh Yadav, it is no where mentioned that there are six criminal cases pending against him.

6. Learned counsel for the State opposes the prayer for bail and submits that it is true that three accused persons have been granted bail by the co-ordinate Bench of this Court but this aspect may be taken into consideration that there are four criminal antecedent of the petitioner in which two cases of robbery and one of murder. Counsel for the State also submits that the antecedent of Bibodh Yadav is not mentioned in the



order sheet.

7. Upon the specific query of the Court whether charge has been framed or not. He is not aware about this fact whether charge has been framed or not.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Mansi P.S. Case No.16 of 2020, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure 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)

Mkr./-

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

