

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4882 of 2024

Arising Out of PS. Case No.-39 Year-2022 Thana- SUGAULI RAIL P.S. District- West
Champaran

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Karan Kumar S/o Lalan Prasad R/o Village-Ghorasahan, Birta Chowk, Ward
No. 05, P.S.-Ghorasahan, Distt.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
G.R.P. Sugauli (Bettiah O.P.) P.S. Case No.39 of 2022, lodged on
19.07.2022, under Sections 401/414/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
seven named accused persons including the present petitioner. The
allegation made in the FIR is that the petitioners used to work as a
team member and total 33 mobile phone have been recovered from
his possession.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that he is in custody since 20.07.2022. Co-accused of this
case has been granted bail by a coordinate Bench of this Court



vide order dated 23.01.2024 passed in Cr. Misc. No.61457 of 2023. Counsel further submits that petitioner is accused in two more criminal cases, in which he is on bail. Counsel submits that charge sheet has already been filed. Counsel submits that the offence is magisterial triable.

5. Learned counsel for the State opposes the prayer for bail and submits that the antecedent of the petitioner is not clean and he is involved in similar type of cases.

6. On specific query whether charges have been framed or not. Counsel for the petitioner submits that he is completely unaware about this fact that charges have been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **two months after framing of the charge and on being satisfied that petitioner is not absconding in the following cases, i.e., Silbasa P.S. Case No.414/2020 and Silbasa P.S. Case No.415 of 2020**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Railway, West Champaran, Bettiah, in connection with G.R.P. Sugauli (Bettiah O.P.) P.S. Case No.39 of 2022, 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)

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