

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69710 of 2024

Arising Out of PS. Case No.-232 Year-2024 Thana- BAHERI District- Darbhanga

Saintish Kumar @ Sentish Kumar S/O Mayaram Mahto @ Mayaram Kamti
R/O Ward no. 1, Village- Chandarpur, Post- Patsa Kundal, P.S- Hasanpur,
Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Narayan, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 24-01-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Baheri P.S. Case No. 232 of 2024 for the offence punishable under Sections 310(4), 310(5) of the BNS and section 25(1-B) (a) 26 and 35 of the Arms Act lodged on 08.07.2024 by the informant, Barun Kumar Goswami.

3. As per the prosecution story, the informant alleged that during night patrolling, it intercepted a motorcycle and found incriminating documents/arms from them. So far as this petitioner is concerned, there is recovery of sim-less mobile as also the motorcycle were recovered.

4. Learned counsel for the petitioner submits that the motorcycle belongs to his family member, he is a student, has



not criminal antecedent and already suffered by being in custody since 08.07.2024.

5. Mr. Bharat Bhushan, learned APP opposes the prayer submitting that when the Police intercepted, the petitioner was found to be having incriminating articles as also his associates were having arms.

6. Considering the submissions of the parties as also the fact that the petitioner is only 22 years of age, has no criminal antecedent, is a student, in custody since 08.07.2024 and his long incarceration with the dreaded criminals in the jail will ruin his future, 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 ACJM, Darbhanga, in connection with Baheri P.S. Case No. 232 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 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 the bail bonds;

(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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