

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87788 of 2024

Arising Out of PS. Case No.-171 Year-2024 Thana- RAMPUR District- Gaya

Sonu Kumar @ Durgi S/O Sri Panchu Ram Ravidas @ Panchu Ravidas R/O
Village- Samal Gadhi, P.S- Tankuppa, District - Gaya,at present Village -
Rajaundha Tola, Kishanpur, P.S- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 08-01-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Rampur P.S. Case No. 171 of 2024 for the offence punishable under Sections 379 of the Bihar Prohibition and Excise Act lodged on 23.04.2024 by the informant, Md. Shamim Akhtar.

3. As per the prosecution story, the informant alleged that he went to attend marriage ceremony and upon coming out, found the motorcycle missing. On viewing the CCTV footage of nearby Hospital, the accused persons were spotted, the petitioner being one of them, FIR, arrest.

4. It is the case of the petitioner that only because of criminal antecedent, he has been implicated. The CCTV footage does not clearly show him to be riding the motorcycle, he is in custody since 21.05.2024 and the last submission is that irrespective of the outcome of the present case and/or accepting



the allegation, the petitioner intends to contribute Rs.5000/- to the informant through Demand Draft issued by the local State Bank of India branch.

5. Learned APP Mr. Bharat Bhushan opposes the prayer submitting that he has criminal antecedent.

6. Considering the aforesaid submissions put forward by the parties as also the fact that the petitioner is in custody 21.05.2024, an undertaking has been given that he will be diligently appearing in trial, this Court is inclined to extend him the privilege of bail subject to payment of Rs.5000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local SBI to be submitted to the trial Court and handed over to the informant after checking credentials.

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 cum Civil Judge (Junior Division-XX), Gaya, in connection with Rampur P.S. Case No. 171 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 one year 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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