

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88364 of 2024**

Arising Out of PS. Case No.-242 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

Shyam Kumar S/O Siko Yadav @ Sikandar Yadav Resident of Village-
Salembad, P.S.- Sahebpur Kamala, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra, Advocate
For the Opposite Party/s : Ms.Renu Kumari, 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 Sahebpur P.S. Case No. 242 of 2024 for the offence punishable under Sections 308(7), 303(2), 332(b) of the BNS and section 25(1-B)a, 26, 35 of the Arms Act lodged on 29.07.2024 by the informant, Kajal Devi.

3. As per the prosecution story, the informant alleged that while sleeping on roof, two named accused including this petitioner came there and on the point of pistol and tried to snatch the ornaments while Gaurabh Kumar managed to take out gold ear ring and jumped from the roof. This petitioner was caught, 112 Police was called and was handed over to them. Upon search, one cartridge was recovered/seized. This led to the



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4. It is the case of the petitioner that only due to village rivalry, he has been implicated. It cannot be presumed that a person known to the villagers will go and tried to snatch the ornaments. He has remained in custody since 29.07.2024 and has no criminal antecedent.

5. Learned APP on the other hand opposes the prayer submitting that though only cartridge has been recovered from his possession and other accomplice escaped after snatching the ear ring.

6. Considering the aforesaid submissions put forward by the parties as also that the petitioner is 19 years old having no criminal antecedent, has remained in custody since 29.07.2024 and the charge-sheet has already been submitted, 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 Sub Judge-IV cum A.C.J.M.-IV, Begusarai, in connection with Sahebpur P.S. Case No. 242 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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