

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.22791 of 2011
Raushan Kumar, son of Jagdish Singh
Versus
The State Of Bihar

2. 29.7.2011

Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case instituted for the offence under Section 414 of the Indian Penal Code.

Considering that the alleged stolen motorcycle was recovered from the conscious possession of the petitioner and the petitioner's sister Gitanjali is ready to stand surety for him, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 5,000/- (Five thousand) with two sureties of the like amount each or any other surety to be fixed by the court concerned to the satisfaction of Sri S.K. Mishra, Judicial Magistrate, 1st Class, Barh, in connection with Mokama P.S. Case No. 238 of 2010, G.R. No. 1580 of 2010 subject to the following conditions: (i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will undertake to furnish information to the court about any change in the address of the petitioner (ii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court

below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse (iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse. (iv) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

Learned counsel for the petitioner submits that he has been implicated repeatedly at the instance of the local police who is hostile to the petitioner and seeks protection of a person well reputed doing social service in the area. Under the circumstances, the petitioner will report to Mr. Kishore Kunal, Chairman, Bihar Religious Trust Board, Bihar, Patna, within fifteen days of his release on provisional bail for a period of six months and file a certificate about the same in the court within the stipulated time. In case, the petitioner fails to file certificate, notice shall be sent to him for cancellation of bail, (ii) That once the petitioner reports to Mr. Kunal, Mr. Kunal is requested to evolve a method by which without affecting the petitioner's present vocation, if any, the petitioner can be made socially productive so that an effort is made to bring him back in the main stream of the society/ he is given adequate protection and (iii) At the end of the six months, the petitioner will be

required to file a certificate in the court below granted by Mr. Kishore Kunal. If the certificate granted to the petitioner is found satisfactory, the court below will confirm the provisional bail granted to the petitioner or else will issue notice for cancellation of bail.



(Anjana Prakash, J.)