

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43276 of 2016

Arising Out of PS.Case No. -150 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Ramanand Rai, son of late Lalan Rai, Resident of village- Amritpur, P.S + District Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mrs. Bela Singh, Adv.

For the Opposite Party/s : Smt. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 14-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Vaishali P.S. Case No.150 of 2016 (G.R. No.2572 of 2016) registered for the offence punishable under Sections 394, 395 and 412 of the Indian Penal Code.

As per the prosecution case, the informant proceeded with Tata 407 vehicle loaded with materials toward Motihari. When he reached at Chakvas Chaur at Vehicle, one Bolero vehicle along with seven miscreants arrived there, stopped his vehicle after overtaking it and dragged the informant from his vehicle and looted the materials loaded in the vehicle. It has further been alleged that they tied the



informant with a tree after closing eyes, but later on he was rescued. During investigation, co-accused Raj Kumar Sah was apprehended and on his identification looted materials were recovered. The name of the petitioner has come during the confessional statement of said Raj Kumar Sah.

Learned counsel for the petitioner submits that Raj Kumar Sah, on whose identification the looted materials were recovered, has been granted bail by this Court in Criminal Miscellaneous No.50671 of 2016. He further submits that the looted materials were recovered from the possession of one Krishna Sah, who has also been granted bail by this Court in Criminal Miscellaneous No.40679 of 2016.

Having considered the facts and circumstances of the case, let the petitioner-Ramanand Rai, be released on bail on furnishing bail bonds of Rs.10, 000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hazipur, in connection with Vaishali P.S. Case No.150 of 2016, subject to the conditions that:-

- (i) one of the bailors will be a close relative of the petitioner i.e. mother/father/ wife/son of the petitioner;
- (ii) if the petitioner is found involved in similar



type of case in future, the prosecution will be at liberty to make prayer for cancellation of his bail and the Court below will pass necessary order, including cancellation of bail;

(iii) the petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates without reasonable explanation, the court below will be at liberty to cancel the bail bonds of the petitioner and;

(iv) the petitioner shall mark his presence before the nearest Police Station by 7th of every month till six months.

(Shivaji Pandey, J)

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