

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1162 of 2016

Arising Out of PS.Case No. -304 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Murari Rai, Son of Kedar Rai, Resident of village - Dighi Khurd, P.S.
Sadar Hajipur, District – Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manish Chandra Gandhi

For the Opposite Party : Mr. H.A.Khan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 22-02-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Sadar
Hajipur P.S. Case No. 304 of 2015, registered under Section 392
of the Indian Penal Code.

The allegation of informant Deep Narayan Rai is that
on 18.06.2015 at about 12.00 O'clock, he along with his staff
Anant Kumar Pandey @ Ranjeet, were going to Allahabad Bank
situated near Management College with cash of Rs. 2,50,000/-
and on the way, two persons, who were on the road caught hold
his callar in which informant fell down, thereafter, another boy
took the cash of Rs. 2,50,000/- from him and a person standing

thereon on the motorcycle moved from there on the motorcycle. The informant disclosed the age of the culprits in between 16 to 22 years and he claimed to identify them. But further in F.I.R. the name of petitioner is disclosed with name of Bittu Kumar saying that people present there disclosed the name.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. itself that informant has named only Mukesh Rai in his fardbeyan but name of the petitioner and one Bittu Kumar have been added in fardbeyan in small size of letters. Further submission is that, in fact, the petitioner is accused in five cases, in which he is on bail, due to that reason, Police implicated this petitioner also in the present case. Further submission is that informant has claimed to identify two accused persons, but petitioner has not been put up on T.I.P. as yet. The petitioner is in custody since 10.09.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sadar Hajipur P.S. Case No. 304 of 2015. Out

of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further the petitioner shall remain present on each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J.)

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