

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7823 of 2016

Arising Out of PS.Case No. -245 Year- 2014 Thana -DARAUNDA District- SIWAN

1. Bhola Ram son of Raj Giriha Ram, Resident of Village- Balia Kothi,
Police Station- Rasoolpur, District- Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Arun Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 28-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Daraunda P.S. Case No. 245 of 2014 registered
for offences under sections 395 and 397 of the Indian Penal Code.

In the first information report it has been alleged that
10-12 unknown persons entered into the house of the informant,
confined and assaulted the inmates of the house and looted articles
from the house.

During investigation, in paragraph 25 of the case
diary, confessional statement has been made by the petitioner and
paragraph 26 of the case diary shows looted articles were
recovered.

The counsel for the petitioner submits that the nature of articles that is said to have been recovered, are of general nature are available in every house and so much so that the petitioner has not been put on T.I.P. nor articles have been put on T.I.P.

The counsel for the petitioner submits that the petitioner is in custody since 27.10.2014.

Looking to the period of custody, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Manoj Kumar Srivastava, Judicial Magistrate 1st class, Siwan in connection with Daraunda P.S. Case No. 245 of 2014, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, 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 cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) The petitioner would report to the nearest police station by 7th of every month at least for six months. In case of failure

on two consecutive dates without any rhyme or reason, the bail granted will be treated to have been cancelled.

(Shivaji Pandey, J)

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