

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29814 of 2021**

Arising Out of PS. Case No.-241 Year-2019 Thana- KATRA District- Muzaffarpur

Vishundev Rai @ Vishundev Ra Son of Parikshan Rai Resident of Village -  
Angaon Bakori (Ya juar), P.S.- Katra, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Shivam, Advocate.

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      17-12-2021                      Heard Mr. Shivam, learned counsel appearing on  
behalf of the petitioner and Sri Parmeshwar Mehta, learned APP  
appearing on behalf of the State.

Petitioner is in custody since 10.12.2020 seeks regular  
bail in connection with Katra P.S. Case No.241 of 2019  
registered for offences punishable under Section 395 of the  
Indian Penal Code.

The prosecution case, in brief, is that on 07.10.2019 in  
between 12.00 P.M. to 01.00 A.M., when the informant along  
with Baijnath Pandit and Rahul Yadav returned his house from  
Dheltara Gosai, six unknown miscreants, came on motorcycle  
hit the informant and taken away his motorcycle bearing  
registration no. BR06BK-1529 as well as other articles like



mobile on the point of pistol. All the accused persons seemed to be 20-25 years of age.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. and he has been implicated in this case on the basis of confessional statement of other co-accused. It has further been submitted on behalf of the petitioner that since he has been named in other cases, he has been dragged in the present case. Learned counsel has informed this court that two criminal cases are pending against the petitioner as stated in paragraph-3 of this bail application and in one of the case bearing Gaighat P.S. Case No.415 of 2019, he has been released on bail by Coordinate Bench of this Court vide order dated 16.12.2021 passed in Cr. Misc. No.28914. The other case is still pending. Learned counsel for the petitioner further submits that so far as present case is concerned, nothing has been recovered from the possession of the petitioner.

Learned APP appearing on behalf of the State has opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, learned court below is directed to verify the antecedent of the petitioner after seeking report from the Superintendent of



Police and on being satisfied that petitioner is not involved in any other cases of similar nature or any other serious offences, the petitioner above named, be released on bail on furnishing personal bond of Rs. 25,000/-(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-1st, Muzaffarpur in connection with Katra P.S. Case No.241 of 2019 subject to the following conditions:-

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tempers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) Petitioner is directed to ensure his attendance on every 15 days to the local police station under which jurisdiction he is residing as well as to the police station under which he has



been made accused.

(Purnendu Singh, J)

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