

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34526 of 2021

Arising Out of PS. Case No.-111 Year-2014 Thana- SHEOHAR District- Sheohar

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LAXMI RAI Son of Late Sarwjeet Rai Resident of Village- Bakhari, P.S.-
Puraura, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Sheohar P.S. Case No. 111 of 2014 registered for the offences punishable under Sections 364(A), 511 of the I.P.C.

According to prosecution case, on 12.06.2014 at about 9:30 PM., when the informant was going on motorcycle after closing his shop, two persons came on Bolero and tried to get sit the informant on the Bolero. Upon making noise the accused persons fled away.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner transpired on the basis of confessional statement of co-accused Rajesh Rai @ Rajesh Kumar. Learned counsel further submits that co-accused Rajesh Rai @ Rajesh Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 09.10.2015 passed in Cr. Misc. No. 17677 of 2015. Petitioner is in custody since 07.10.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 111 of 2014, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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