

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38702 of 2021

Arising Out of PS. Case No.-252 Year-2019 Thana- BELA District- Sitamarhi

RAM PRAVESH CHAUDHARY Son of Ram Babu Chaudhary Resident of
Village - Mahuawa, P.S.- Bathnaha, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-11-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Bela Police Station Case No. 252 of 2019, registered for the
offences punishable under Sections 394/34 of the Indian Penal
Code.

This is the second attempt on behalf of the petitioner
for grant of regular bail. Earlier, the prayer for regular bail of the
petitioner was rejected by this Court, vide order, dated
09.12.2020, passed in Criminal Misc. No. 23965 of 2020, giving
liberty to the petitioner to renew his prayer for bail after six
months from the date of the order, if the trial does not record
any progress.

The allegation, as per the First Information Report, is



that two unknown persons entered the room of the petrol pump forcibly and when the nozzle man of the petrol pump protested, one person having pistol in his hand assaulted him with the butt of the pistol and on gun point looted Rs. 861854/- kept in the almirah and fled away.

Learned Counsel for the petitioner submits that the petitioner is in custody since 24.12.2019 and only charges have been framed on 21.09.2021 and no prosecution witness has yet been examined. He next submits that by Annexure-3 series, similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court and the name of the petitioner has transpired in this case on the basis of the confessional statement of the petitioner made before the police.

Regards being had to be submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner has remained in custody since 24.12.2019, similarly situated co-accused persons have been granted bail by this Court, trial is not likely to be concluded in near future and this is second attempt for bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail,



upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Bela Police Station Case No. 252 of 2019.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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