

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36192 of 2022

Arising Out of PS. Case No.-364 Year-2021 Thana- EKMA District- Saran

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Raju Prasad, Son Of Late Ashok Prasad, R/O- Vill- Ekam Purani Chatti,
P.S.- Ekma, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioner and the

learned APP for the State.

Let the defect(s) be removed within four weeks of

the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Ekma P.S. Case No.364 of 2021 instituted under Section
392 of the IPC.

As per the prosecution story, the allegation against
the petitioner amongst other is that he intercepted the
motorcycle of the informant and decamped with Rs.5000/-
as also the motorcycle amongst other.

Learned counsel for the petitioner submits that
due to his implication in other cases, the moment a case is
lodged, he is being named as accused. The further
submission is that he is in custody since 11.01.2022, but no



T.I. Parade has been done.

Learned APP on the other hand submits that he has sixteen criminal cases under his belt from the same police station.

Taking into account the aforesaid fact that he is in custody since 11.01.2022 and nothing has been recovered from his conscious possession nor he has been put on T.I. Parade, charge-sheet stands submitted, this Court is inclined to grant him privilege of bail, subject to payment of Rs.5000/- to the Bihar State Legal Services Authority, Patna. He will also leave the district of Saran for one month from the date of his release.

Let the petitioner be released on bail (subject to payment of Rs.5000/- to the Bihar State Legal Services Authority, Patna) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each in connection with Ekma P.S. Case No.364 of 2021 to the satisfaction of learned Additional Chief Judicial Magistrate, Ist, Saran at Chapra, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to



show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of the Trial to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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