

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35713 of 2022

Arising Out of PS. Case No.-166 Year-2021 Thana- GOPALPUR District- West Champaran

MATROHAN RAUT @ MANROHAN RAUT SON OF LATE KETHI
RAUT R/O- VILL-JAGERNATHPUR, WARD NO.7, P.S.-GOPALPUR,
DIST.- BETTIAH, WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with G.R.
No. 4328 of 2021 arising out of Gopalpur P.S. Case No. 166 of
2021 registered for the offences punishable under Sections 379
of the Indian Penal Code.

As per prosecution case, the informant parked his
motorcycle in the courtyard of his house and on early morning
he found his motorcycle was not there.

Learned counsel for the petitioner submits that
petitioner is in custody since 10.02.2022. Petitioner bears



criminal antecedent of two cases. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner was apprehended in Bettiah Town P.S. Case no. 660 of 2021 in that case petitioner and other co-accused persons were planning to commit such type of offence on that basis police remanded in the present case merely on suspicion. Learned counsel further submits that except confessional statement of the petitioner nothing has found against the petitioner. No incriminating material is available against the petitioner except the confessional statement of the petitioner. Petitioner is not named in the F.I.R. Nothing has been recovered from the possession of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, nature of allegation, petitioner is not named in the F.I.R., charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail



bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Gopalpur P.S. Case No. 166 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

amitkr/-

U		T	
---	--	---	--

