

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36991 of 2022

Arising Out of PS. Case No.-196 Year-2021 Thana- CHAUTHAM District- Khagaria

HIRALAL SAH @ BAHIRU Son of Chandra Shekhar Sah Resident of
Village- Maniya Gachhi, P.S.- Uda- Kishunganj, District- Madhepura (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar 1, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Chautham P.S. Case No. 196 of 2021 arising out of S.T. No. 104
of 2022 under Sections 395 and 412 of the Indian Penal Code.

As per the FIR, the informant has alleged that when
he was sleeping in his house and marriage preparation was
going on, accused persons jumped the boundary wall, entered
his house and on the point of pistol snatched jewellerys as also
cash of Rs. 3,50,000/-. They left but not without threatening
that in case of 'hulla', they will be killed.



Learned counsel for the petitioner submits that he has not been named in the FIR. His name has cropped in the confessional statement of Sanjay Singh. It is his further submission is that despite the fact that he is in custody since 27.02.2022, no T.I. Parade has been done.

Taking into account the fact that he is in custody since 27.02.2022, charge sheet stands submitted and no T.I. Parade has been done, this Court is inclined to grant him privilege of bail only after framing of the charges (in view of the fact that he has criminal antecedent).

Let the petitioner be released on bail after framing of charges on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge, Khagaria in connection with Chautham P.S. Case No. 196 of 2021 arising out of S.T. No. 104 of 2022, subject to the 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 reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, 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)

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