

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44947 of 2022**

Arising Out of PS. Case No.-721 Year-2020 Thana- MUFFASIL District- West Champaran

=====

RAMLAL SAH Son of Neta Sah Resident of village- Chhotaka Lagunia, P.S-  
Paharpur, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Ramchandra Singh

=====

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      24-11-2022                      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 Bettiah  
  
Muffasil (Banuchapar O.P.) P.S. Case No. 721 of 2020  
  
registered for the offences punishable under Sections 394 of the  
  
Indian Penal Code.

As per prosecution case, four unknown persons  
  
snatched the mobile, cash of Rs. 25,000/- and tractor of the  
  
informant on the point of knife and Katta.

Learned counsel for the petitioner submits that  
  
petitioner is in custody since 12.02.2021. Petitioner bears six  
  
criminal antecedents. 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 the petitioner is not named in the F.I.R. On the self-confessional statement, name of the petitioner has been transpired in this case. Nothing incriminating article has been recovered from the conscious possession of the petitioner. The petitioner is not put on TIP till now. The petitioner was not identified by anybody. Learned counsel further submits that co-accused Shahnawaj Mian, Islam Ansari and Jahangir Alam have been granted bail vide Cr. Misc. No. 23788 of 2021, Cr. Misc. No. 40745 of 2021 and Cr. Misc. No. 67264 of 2021 respectively and the case of present petitioner stands more or less on similar footing.

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, 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 after framing of charge 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, Bettiah, West Champaran in connection with Bettiah Muffasil (Banuchapar O.P.) P.S. Case No. 721 of 2020, 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(v) Petitioner shall not leave the territorial jurisdiction of the concerned trial court without appropriate permission of the court concerned.



(vi) If petitioner violates any of the conditions, the  
trial court is at liberty to cancel the bail bond of the petitioner.

**(Alok Kumar Pandey, J)**

amitkr/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

