

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47810 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- CHIRAIYA District- East Champaran

Khobhari Rai S/O Ramchandra Rai Resident of village- Sapgadha, P.S.-
Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Chiraiya P.S. Case No. 14 of 2022 lodged under Section 379,
411, 414 of the I.P.C.

As per the prosecution case, the F.I.R. has been filed
against unknown persons in which the informant has disclosed
that his motorcycle is traceless from his *baramda*. With this
allegation, he has filed this case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that his name has figured in this case only and only due to the

reason that there are 3 criminal antecedent of the petitioner. Learned counsel further submits that in all the 3 cases, he is on bail. Charge sheet has already been filed in this case and petitioner is in custody since 10.03.2022. Learned counsel submits that there are nothing incriminating recovered from his possession nor T.I.P. has been made rather one witness has said that the petitioner has kept motorcycle in a strange place.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 14 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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