

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60400 of 2021**

Arising Out of PS. Case No.-505 Year-2020 Thana- JOGAPATTI District- West Champaran

RAMCHELA RAI Son of Late Ramchandra Rai R/o village - Tikulia, P.S.-
Muffasil Motihari, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 10-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Yogapatti
(Sanichari) P.S. Case No. 505 of 2020 instituted for the offences
under Sections 394 and 428 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 16.03.2021, charge-sheet has been
submitted in the case and has antecedent of three case.

The informant alleges that he was intercepted by four
accused persons who looted his pick-up van loaded with eggs
along with Rs. 40,000/- and mobile.

Learned counsel for the petitioner submits that the
F.I.R. was instituted against unknown, the petitioner was
arrested in Harsidhi P.S. Case No. 547 of 2020 in which he was



made to confess his participation in the crime. Learned counsel thus submits that the petitioner based on his own confessional statement made before the police in custody has been made an accused in the present case. It is further submitted that the petitioner has not been put on T.I.P. nor any incriminating article has been recovered from his possession and confession made before the police in custody has no evidentiary value. Learned counsel further submits that co-accused Sandeep Kumar, Prakash Kumar and Devendra Yadav have been granted bail vide order dated 23.02.2022 passed in Cr. Misc. No. 56449 of 2021.

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

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in the case, co-accused have been granted bail and his name transpired based on his own confessional statement, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Yogapatti (Sanichari) P.S. Case No. 505 of 2020 with a condition that one of the bailors shall be



the brother-in-law of the petitioner, Dashrath Rai.

(Satyavrat Verma, J)

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