

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10090 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- RAHIKA District- Madhubani

Laxman Sah, male, aged about 25 years, Son of Ramprit Sah R/O Village-
Korahiya, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Namrata Mishra, Adv.

For the Opposite Party/s : Mr. Mohammad Sufiyan APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

8 01-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State of Bihar.

The petitioner seeks bail in connection with Rahika PS
Case No. 57 of 2021, registered for the offence punishable under
Section 394 of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution case alleges that 04 (four) persons on
two motorcycles have come and snatched the bag of the informant
containing Rs. 5,98,200/- (Five Lakh Ninety Eight Thousand and
Two Hundred).

Learned counsel for the petitioner submits that having
regard to the antecedents of the petitioner, as per disclosure made in
para 3 (three), he has been made an accused in this case. There is no
cogent material collected in the course of investigation against the
petitioner and his confessional statement recorded in another case
formed the basis of his implication. There is no recovery of any
incriminating material from the petitioner and he is in custody in
connection with this case since 16-07-2021. It is further submitted
that investigation is complete.



Learned APP for the State has opposed the prayer for bail. It is submitted that the petitioner has confessed his involvement in the instant case and he has antecedents.

Considering the rival submissions, manner of petitioner's implication, the material referred to by the parties and period of custody as also the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani, in connection with Rahika PS Case No. 57 of 2021, dated 14-04-2021 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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