

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29570 of 2023

Arising Out of PS. Case No.-259 Year-2022 Thana- PIPRA District- Supaul

RAUSHAN RAJ Son of Birendra Kumar Ram Resident of village - Sukha
Nagar, ward no. 02, P.S. - Pratapganj, Distt. - Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Pipra
P.S. Case No. 259 of 2022 registered for the offence punishable
under Section 379 of the Indian Penal Code.

As per prosecution case, on 29.08.2022 the
informant parked his motorcycle in front of his house and went
inside the house and when he came outside the house he did not
find his motorcycle there. Hence, FIR has been registered
against unknown thief.

Learned counsel for the petitioner submits that
petitioner is not named in the FIR. He further submits that
petitioner was arrested in Raghapur P.S. Case No. 341 of 2022
and he was remanded in the present case from Raghapur P.S.



Case No. 341 of 2022. Petitioner is in custody since 29.09.2022 and bears one criminal antecedent. He further submits that no incriminating article has been recovered from conscious possession of the petitioner and he has falsely been implicated in the present case. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Supaul in connection with Pipra P.S. Case No. 259 of 2022, 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.

(Alok Kumar Pandey, J)

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