

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34193 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- KISHUNPUR District- Supaul

BHARAT RAY Son of Dhrub Ray Resident of village - Majhari, P.S.-
Nirmali, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with Kishanpur P.S. Case No. 263 of 2022 registered for the offences under section 394 of the Indian Penal Code and section 27 of the Arms Act lodged on 24.10.2022 by the informant, Ram Sundar Sah.

As per the prosecution story, on 23.10.2022 at about 20:00 P.M. in the night, the informant proceeded from Lalpur Singheshwar, Madhepura towards Bhajnaha by his Pletina Motorcycle bearing Registration No.BR-32F-6671. As soon as he reached on N.H.- 57A at PACS Godown at about 20:30 P.M., two persons riding on motorcycle came from Bhaptiyahi side, stopped him and tried to snatch his motorcycle on the point of



pistol. When he protested, the miscreants fired upon him and looted away his motorcycle as also Rs.20,000/- from pocket and a 'Redmi' mobile phone and fled away. Subsequently, he was brought to hospital by Kishanpur patrolling Police where his treatment was made. Accordingly, the FIR.

Learned Counsel for the petitioner submits that despite the fact that he is in custody since 17.01.2023, no T.I.Parade has been done. Further, he is ready to abide by all the terms and conditions, if granted bail.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the fact that the petitioner has remained in custody since 17.01.2023, is a young boy of 20 years and do not have criminal antecedent, this Court is inclined to extend him privilege of bail. If however, if it is found that he do have criminal antecedent, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Kishanpur P.S. Case No. 263 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his
bona fide;

(ii) the petitioner shall appear on each and every date
before the Trial court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his bail
bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned
police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of his bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

