

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40368 of 2023

Arising Out of PS. Case No.-124 Year-2022 Thana- RAMGARHWA District- East
Champaran

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SAURABH KUMAR @ MUNNA Son of Manoj Das Resident of village-
Murla, Police Station-Ramgarhwa, District-East-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehend his arrest in connection
with Ramgarhwa P.S. Case No. 124 of 2022 for the offence
punishable under Sections 323, 353, 160, 307, 504, 506/ 34 of
the I.P.C. lodged on 25.04.2022 by the informant Ramnarayan
Ojha.

As per the prosecution story, the police had gone to
nab Monaj Das in connection with Ramgarhwa P.S. Case No.
112 of 2022 but the inmates of the said house assaulted the
police personnel. However, they saved themselves and
apprehended Monaj Das finally and upon interrogation, he gave
the name of the inmates as Saurabh Kumar (petitioner herein),



Lalita Devi, Aarti Kumari and three unknown persons.
Accordingly, the FIR.

Learned counsel for the petitioner submits that only to implicate the entire family members including the women inmates had made accused and further he is ready to abide by all the terms and conditions.

Learned APP opposes the prayer stating that he has criminal antecedent.

Considering the fact that there is no injury on the part of the police personnel, the main allegation is against the Manoj Das, on his confession the name of the petitioner has come, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of the receipt of the order, 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 learned Sub Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari, in connection with Ramgarhwa P.S. Case No. 124 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(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 six months to mark his 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 the 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 his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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