

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46593 of 2023

Arising Out of PS. Case No.-56 Year-2022 Thana- TISIAUTA District- Vaishali

RAGHUVIR RAI Son of Soneful Rai Resident of village - Raja Pakar,
District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Shankar Prasad,Advocate
For the Opposite Party/s : Mrs.Sharda Kumari,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
02.05.2023 in connection with Tisiauta P.S. Case No. 56 of
2022, F.I.R. dated 28.05.2022 registered for the offence
punishable under Section 394 read with Section 34 of IPC.

3. The FIR of the occurrence of loot is against
unknown.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Petitioner is not named in the FIR. The name of
the petitioner has been transpired during investigation on the
basis of the confessional statement of co-accused person,



namely, Pramod Rai. Further submits that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from possession of co-accused person, namely, Pramod Rai and till date no TIP has been conducted by the prosecution and the petitioner is in custody since 02.05.2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, 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 learned Additional Chief Judicial Magistrate-16, Vaishali at Hajipur in connection with Tisiauta P.S. Case No. 56 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the



Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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