

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51987 of 2023

Arising Out of PS. Case No.-293 Year-2023 Thana- ARA NAGAR District- Bhojpur

SURAJ KUMAR SON OF SANTOSH RAI @ KAMLESH RAY RESIDENT
OF VILLAGE - MANI CHHAPRA, POLICE STATION - BARHARA,
DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Ara Nagar P.S. Case No.293 of 2023 instituted under Section 392,411 of the IPC with Section 25(1-b)a, 35 of the Arms Act lodged on 13.04.2023 by the informant Chandrakant Tiwary.

As per the prosecution story, the informant along with the driver and helper were going to Kaimur in a hired vehicle but near Singhahi village the vehicle broke down and as the driver and helper were repairing it accused persons came and on the point of pistol looted Rs.3800 and a gold chain as also the mobile of the driver. This led to FIR.

Learned counsel for the petitioner submits that on the basis of CDR of the looted mobile, police raided the house of



the petitioner and arrested his father who was using the said mobile. As the SIMS that was inserted belong to the petitioner he too became accused and is in custody since 28.04.2023.

Learned APP opposes the prayer for bail stating that the looted mobile of the driver/helper was in possession of the petitioner/his father.

Considering the submissions put forward by the learned counsel for the petitioner, the father has been granted bail, he is in custody since 28.04.2023 and do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Ara Nagar P.S. Case No.293 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, subject to 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 fortnight for next six months 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 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 the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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