

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52149 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- TARIYANI CHOWK District- Sheohar

Suraj Rai Son Of Lakhinder Rai @ Lakhendra Yadav Resident Of Village -
Mahuaha Brint, Police Station - Rajepur, District - East Champaran, Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate
For the Opposite Party/s : Mr.Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Tariyani P.S. Case No. 224 of 2022 for the offence punishable under Section 392 of the Indian Penal Code lodged on 7.7.2022 by the informant, Ranjay Sah.

As per the prosecution story, the informant, owner of a hardware shop has alleged that on the point of pistol, Rs. 174,000/- was taken away by the accused persons. One of them was recognized as Pappu Rai. The villagers recognized the other persons as Chandralok Kumar and Suraj Ray. This followed the FIR.

Learned counsel for the petitioner submits that due to village politics, he has been dragged in this case as it is impossible for the locals to enter a shop and take away the



amount which has been alleged in the FIR. In any case, he has suffered by being in custody since 28.5.2023 (para-8 of the petition).

Learned APP opposes the prayer.

Considering the aforesaid submission put forward by the learned counsel for the petitioner, period of custody as also that FIR lodged and ultimately he will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

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 learned Chief Judicial Magistrate, Sheohar, in connection with Tariyani P.S. Case No. 224 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 fortnight 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 bail application is allowed.

(Rajiv Roy, J)

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