

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54122 of 2023**

Arising Out of PS. Case No.-157 Year-2023 Thana- PIPRA District- East Champaran

RAHUL KUMAR Son of Chandeshwar Paswan Resident of village - Khairi  
Jamuniya, P.S. - Pipra, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      24-08-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is in judicial custody in connection with Pipra P.S. Case No. 157 of 2023 registered under Sections 457 and 380 of the Indian Penal Code lodged on 25.05.2023 by the informant, Lalbabu Sha.

As per the prosecution story, the allegation is that when the informant reached at Primary Health Centre, Pipra, found the lock broken, articles scattered and V-Guard battery as also Microtek Invertors/stabilizer were found missing, this led to the present FIR.

Learned counsel for the petitioner submits that the alleged recovery of the battery/inverter is found from bush near Pipra Naya Chowk, nothing has been recovered from his



conscious possession, not apprehended from the spot and he is in custody since 26.05.2023 (as stated in paragraph-11 of the petition).

Learned APP opposes the prayer for bail.

Taking into account the kind of allegation that has come, nothing has been recovered from the conscious possession of the petitioner and has remained in custody since 26.05.2023, this Court is inclined to extend him the privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sadar Motihari, East Champaran in connection with Pipra P.S. Case No. 157 of 2023, 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/her *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/her 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 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.

**(Rajiv Roy, J)**

Jagdish/-

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