

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53538 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- MUSRIGHRARI District- Samastipur

RISHI RAY SON OF BALDEV RAY RESIDENT OF VILLAGE -RUPOULI
BARGHARA, PS- MUSRIGHARARI, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Musrigharari P.S. Case No.3 of 2023 instituted under Section 395 of the IPC lodged on 04.01.2023 by the informant Vijay Bhushan Prasad.

As per the prosecution story, the informant after closing his jewellery shop was returning home, then on the point of pistol ornaments worth Rs.10,00,000/- was looted. In course of resistance, they also opened fire and the empty/live cartridges were present at the place of occurrence. Accordingly, the FIR.

It is the case of the petitioner that the name has come in the confessional statement of Raushan Kumar, though he is in custody since 15.03.2023 (para-4 of the petition), no TI parade has been done.

Learned APP on the other hand submits that he has



criminal antecedent of the same nature.

Considering the aforesaid facts submitted by learned counsel for the petitioner, as also that no TI parade has been done, is in custody since 15.03.2023, this Court is inclined to grant him privilege of bail but only after the framing of the charges.

Let the petitioner be released on bail after the framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Musrigharari P.S. Case No.3 of 2023 to the satisfaction of learned Judicial Magistrate, Ist Class, Samastipur, 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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