

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57275 of 2023**

Arising Out of PS. Case No.-80 Year-2023 Thana- MAJORGANJ District- Sitamarhi

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UMESH RAM S/O LATE FAKIRA RAM VILLAGE- SRINAGAR, PS-
MAJORGANJ, DIST- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 31-08-2023

Heard the parties.

The petitioner is an accused in connection with Majorganj P.S. Case No. 80 of 2023 registered for the offences under section 392 of the Indian Penal Code and section 27 of the Arms Act lodged on 20.03.2023 by the informant, Lachhu Das @ Laxman Das.

As per the prosecution story, the allegation is that the informant was going on his vehicle with Rs. 1,10,000/- in his pocket, the car was being driven by this petitioner, his driver, they found a motorcycle parked in front of the van and on the point of pistol, he was relieved of the said amount. Accordingly, the FIR.

Subsequently, the role of this petitioner, the driver came and accordingly he was arrested and is in custody since



09.05.2023 (as stated in paragraph 13 of the bail application).

It is the case of the petitioner that only on the suspicion, he has been dragged in and under coercion one Sadre Alam confessed before the police, the role of this petitioner. The last submission is that he has no criminal antecedent and is ready to abide by all the terms and conditions.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the submissions put forward by the learned Counsel for the parties, the name of the petitioner has come in the confessional statement, is in custody since 09.05.2023 and do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned A.C.J.M. I, Sitarmarhi in connection with Majorganj P.S. Case No. 80 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 *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 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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