

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58636 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- SARAI District- Vaishali

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RAMPRAVESH RAI SON OF LATE BAIJU RAI RESIDENT OF VILLAGE
- MUKUNDPUR, P.S. - SARAI, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-09-2023 Heard Mrs. Bela Singh, learned counsel for the

petitioner and the State.

The petitioner is in judicial custody in connection with Sarai P.S. Case No. 119 of 2023 for the offence punishable under Sections 394 & 411 of the Indian Penal Code lodged on 26.4.2023 by the informant, Anup Kumar.

As per the prosecution story, the informant has alleged that while returning after unloading the articles, the accused persons intercepted, took Rs. 20,000/- as also the vehicle (pick-up van). This was immediately informed to the police, after good chase although other accused persons managed to escape, this petitioner was apprehended and accordingly, the FIR.

Learned counsel for the petitioner submits that due to



said misadventure, he has already suffered by being in custody since 27.4.2023 (para-10 of the petition).

She further concedes that he has criminal cases of same nature.

Learned APP opposes the prayer stating that he do have criminal antecedent of the same nature.

Taking into account the fact that the petitioner was arrested from the spot and he has criminal cases of the same nature, initially, the Court was not inclined to grant him the privilege of bail but taking into account the submission put forward by the learned counsel for the petitioner that he is the sole bread earner of the family, it would suffice, he is released on bail only after framing of the charge.

Let the petitioner be released on bail after framing of the charge on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-16, Vaishali at Hajipur, in connection with Sarai P.S. Case No. 119 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 month for next one year 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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