

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66757 of 2023

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

Raju Kumar, S/o Vinod Prasad Resident of Village-Khairwa, Jamunia, P.S.-
Pipra, District-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Pipra P.S. Case No. 157 of 2023, lodged on 25.05.2023 under
Sections 457 & 380 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against unknown accused persons about theft of battery and
inverters/stabilizer by breaking the lock of two rooms of the
hospital.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner is not named in the FIR, but the police has
arrested him when they were crossing at a nearby place. He
submits that from the seizure list, it transpires that recovery of



materials took place near over bridge. He further submits that the petitioner is in custody since 26.05.2023 and having one criminal antecedent in which he is on bail. He further submits that other co-accused Rahul Kumar who has been apprehended upon chase has been granted bail by a co-ordinate Bench of this Court vide order dated 24.08.2023 passed in Criminal Miscellaneous No. 54122 of 2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Pipra P.S. Case No. 157 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J.)

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