

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68432 of 2023

Arising Out of PS. Case No.-170 Year-2019 Thana- RAJAPAKAR District- Vaishali

Vidhya Bhushan Ray @ Vidya Bhushan Rai S/O Lal Babu Rai R/O Village-
Bakarpur, P.S- Rajapakar, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Rajapakar P.S. Case No. 170 of 2019, lodged on 16.07.2019,
under Section 392 of the I.P.C.

3. As per the prosecution case, the FIR has been
lodged against three unknown accused persons.

4. Learned counsel for the petitioner submits that
petitioner's name has figured in this case by virtue of
confessional statement of co-accused. Nothing has been
recovered from his possession nor he was put on Test
Identification Parade. Counsel submits that only due to his
criminal antecedent he has been implicated in this case. He is in
custody since 21.10.2022.



5. Learned counsel for the State opposes the prayer for bail and submits that at the time of consideration of bail this aspect has been taken into consideration that petitioner has criminal antecedents.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be released on bail **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Vaishali at Hajipur, in connection with Rajapakar P.S. Case No.170/2019, 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 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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