

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74104 of 2022**

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

=====

Lal Babu Rai @ Lal Babu Prasad S/O Ram Bhajan Rai, Resident of village-  
Khajbatti, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rudal Singh, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

6      03-05-2023                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
  
S. Tr. No.454 of 2021 arising out of Hajipur Town P.S.Case  
  
No.1052 of 2019 for the offence punishable under Sections 395,  
  
394, 397 of the Indian Penal Code.

3. Learned counsel appearing on behalf of the  
  
petitioner submits that earlier the prayer for grant of regular bail  
  
to the petitioner was rejected by this Court, vide order dated  
  
22.02.2022 passed in Cr. Misc. No.36653 of 2021.

4. Learned counsel further submits that the petitioner  
  
has been made accused in the present case on the basis of  
  
confessional statement of the co-accused, Vikas Kumar Jha and  
  
nothing (looted jewelry and the ornaments) has been recovered



from the possession of the petitioner or from the house of the petitioner.

5. At paragraph no.3 of the supplementary affidavit filed on behalf of the petitioner, wife of the petitioner has undertaken that she will look after her husband and take care to live in good society and not in bad society.

6. Considering the specific statement made in paragraph no.3 of the supplementary affidavit by the wife of the petitioner as well as nothing has been recovered from the possession of the petitioner or from his house, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-V, Vaishali at Hajipur in connection with S.Tr. No.454/21 arising out of Hajipur Town P.S.Case No.1052/19, subject to the following conditions:-

(1) One of the bailors shall be wife of the petitioner.

(2) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(3) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(4) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.



(5) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(6) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(7) The petitioner will make his attendance before the concerned police station under which his house is located every week at 9 AM on Tuesday till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police, Vaishali at Hajipur.

**(Purnendu Singh, J)**

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