

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.243 of 2023

Arising Out of PS. Case No.-545 Year-2022 Thana- GARKHA District- Saran

Satendra Rai @ Satendra Kumar Rai Son Of Ramayodhya Rai R/O Vill.-
Maiki, P.S.- Garkha, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Avinash Raushan, Advocate
	:	Mr. Kumar Kishan, Advocate
For the Opposite Party/s	:	Mr. Bhanu Ppratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
23.08.2022 in connection with Garkha P.S. Case No. 545 of
2022, F.I.R. dated 22.08.2022 registered for the offence
punishable under Section 309,402,412,413,414 of IPC, 1860
and Sections 25(1-b)a, 26,35 of Arms Act.

Allegation against the petitioner is that he
apprehended with a mobile and a Tractor.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. Further submits that it appears from the FIR that on the
basis of the disclosure made by co-accused, Nitish Kumar, the



name of the petitioner has been transpired and the petitioner is apprehended with the mobile and some looted article. Further submits that there is non-compliance of Section 100(4) of Cr. P.C. and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Garkha P.S. Case No. 545 of 2022, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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