

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1645 of 2023

Arising Out of PS. Case No.-223 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

Raju Sah @ Raju Gupta @ Raju Kumar Son of Shivjee Sah R/V- Turki, P.S-
Minapur, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Braj Kishore Pd. APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-04-2023 Heard Mr. Santosh Kumar, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Tariyani P.S. Case No. 223 of 2021, registered for the offences punishable under Sections 413, 414/34 and 120-B of the Indian Penal Code.

It is alleged that the police on an information that the accused persons named in the FIR have brought a 12 wheeler Truck in their scrap shop and trying to dismantle the same.

Learned counsel appearing on behalf of the petitioner submits that evidently the petitioner is not named in FIR, however, during the course of investigation his name sprung up on the confessional statement of one Jhalak Sah, who was apprehended at the place of occurrence and has allowed



privilege of bail by learned Co-ordinate Bench of this Court in Cr. Misc. No. 176 of 2022 vide order dated 25.07.2022. He next submits that the petitioner has no concern with the scrap shop and having fair antecedent, is in custody since 19.09.2022. Moreover, no incriminating material has been recovered from his person or possession.

On the other hand learned APP for the State vehemently opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fact that the name of the petitioner has transpired on the confessional statement of co-accused, who has already been allowed privilege of bail, coupled with the fair antecedent of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sheohar in connection with Tariyani P.S. Case No. 223 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.



(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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