

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.985 of 2023

Arising Out of PS. Case No.-306 Year-2022 Thana- KATRA District- Muzaffarpur

SONU RAUT SON OF LATE GANESHI RAUT @ GANESHI RAY R/O
VILLAGE- BUDHNAGRA, DEYODHI, P.S.- NANPUR, DISTRICT-
SITAMARHI, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

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

The petitioner is in judicial custody in connection with Katra P.S. Case No.306 of 2022 instituted under Sections 392 and 414 of the IPC, lodged on 13.08.2012 by the informant Ramshresht Mahto.

As per the FIR, three motorcycle borne criminals having surrounded the daughter of the informant on the alleged date and time of occurrence, whereafter they snatched her mobile phone and fled away. However, fleeing they were chased by the villagers, resulting in the petitioner and one another co-accused person falling from the motorcycle, whereafter they were apprehended. Accordingly the FIR.

Learned counsel for the petitioner submits that although he has been apprehended nothing has been recovered



from his conscious possession nor any TI parade has been done. He is a labour and while returning home was picked by the police. The further submission is that he is in custody since 13.08.2022. Further, submission is that similar placed co-accused Shivam Kumar Jha granted bail by co-ordinate bench vide Cr. Misc. No.61523 of 2022.

Let the same be kept on record.

Learned APP opposing the prayer submitting that now a days snatching has become a routine affair, affecting the society.

Considering his period of custody as also the fact that in paragraph 3, it has been stated that he do not have criminal antecedent, similar placed co-accused, Shivam Kumar Jha has since been released on bail as stated above, this Court is inclined to extend him privilege of bail. If, however, it is found that if he do have criminal antecedent, this bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Katra P.S. Case No.306 of 2022 to the satisfaction of learned Judicial Magistrate, Ist Class, Muzaffarpur, subject to following



conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

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

(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.

(Rajiv Roy, J)

Prakash Narayan /-

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