

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81000 of 2023

Arising Out of PS. Case No.-57 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Suraj Kumar son of Late Kashi Sah @ Kashinath Prasad Village- Paschim
Kargahiya Ps- kalibagh OP Dist- W.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brij Kishor Mishra, Advocate
For the State	:	Mr. Umesh Lal Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Bettiah
Town P.S. Case No. 57 of 2022 instituted for the offence under
Sections 379, 411, 413, 414/34 of the Indian Penal Code.

3. On secret information, police raided at *Santghat*,
where one '*Rajan Kumar*' (co-accused) was apprehended with a
motorcycle and on interrogation, he disclosed the name of the
petitioner as being co-accused in the theft of motorcycle in
question.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 04-09-2023. Petitioner
bears eight criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner's name has been surfaced due to disclosure made by co-accused, namely, Rajan Kumar, who has been granted bail by Co-ordinate Bench of this Court vide order dated 16-08-2023, passed in Cr. Misc. No. 19405 of 2022.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail after **framing of charge**, if charge not framed on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bettiah Town P.S. Case No. 57 of 2022 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bonds.

(Rudra Prakash Mishra, J)

Raj kishore/-

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