

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10236 of 2024

Arising Out of PS. Case No.-244 Year-2023 Thana- RAHIKA District- Madhubani

Suraj Sahni Son Of Ram Ashish Sahni @ Ramashish Sahni Resident Of
Village-Satlakha, P.S.-Rahika, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Rahika P.S. Case No.244 of 2023, lodged on 07.11.2023, under
Sections 414/467/468/471/420/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
two named accused persons including the present petitioner
against whom there is allegation that they have apprehended by
the police in possession of motorcycle whose Engine number
and Chassis number alleged to have been forged.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that since the criminal antecedent of the petitioner is not
clean, there are two criminal antecedents pending against him



only due to the reason police has inserted his name in this case. Counsel submits that the petitioner is in custody since 07.11.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that motorcycle subject to theft has been recovered from possession of the petitioner.

6. Upon the specific query of the Court that whether charges have been framed or not. Counsel for the petitioner submits that he is completely unaware about this fact that charges have been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed, and on being satisfied that petitioner is not absconding in the following cases, i.e., (i) Rahika P.S. Case No.153 of 2020 and (ii) Rahika P.S. Case No.201 of 2023**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Madhubani, in connection with Rahika P.S. Case No. 244 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:



(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his 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 bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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.

(Dr. Anshuman, J)

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