

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16740 of 2024

Arising Out of PS. Case No.-547 Year-2020 Thana- HARSIDHI District- East Champaran

Surendra Ram Son of Late Jang Bahadur Ram Resident of Village- Ratanpur,
P.S.- Raxaul, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Md. Aslam Ansari

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

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Harsidhi P.S. case No. 547 of 2020 instituted for the offences under Sections 399, 402, 411, 412, 413 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act and Sections 21, 22 of the N.D.P.S. Act.

3. Prosecution case, in short, is that, police, on the basis of secret information apprehended seven person and recovered a truck containing looted articles/goods.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner was not apprehended on the spot. The name of the



petitioner transpired in this case on the basis of disclosure made by the co-accused persons who were apprehended on the spot. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered stolen articles. Charge-sheet has been submitted in this case. The co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 24.08.2022 passed in Cr. Misc. No. 28902 of 2021. It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.11.2023 and has six criminal antecedents.

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail 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 Harsidhi P.S. case No. 547 of 2020, 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 offence in future, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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