

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24376 of 2024

Arising Out of PS. Case No.-555 Year-2023 Thana- SITAMARHI District- Sitamarhi

Roshan Rai @ Raushan Rai @ Raushan Kumar S/o Indrajit Rai R/o Village-
Dhankaul, Ward no. 10, P.S.- Piprahi, Dist.- Sheohar

... .. 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.Arun Kumar Singh, APP

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

ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sitamarhi (Mehsaul O.P.) P.S. case No. 555 of 2023 instituted
for the offences under Section 392 of the Indian Penal Code.

3. Prosecution case, in short, is that two miscreants
entered the house of the informant and took away Rs. 40,470/-
on the point of pistol.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
has transpired in this case during investigation only on the basis
of confessional statement of the co-accused Munna Kumar. No



incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern the looted article. Learned counsel further submitted that T.I.P. has not been conducted till date. Charge-sheet has been submitted in this case. Similarly situated co-accused person has already been granted bail by this Court vide order dated 04.03.2024 passed in Cr. Misc. No. 13110 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.10.2023 and has five criminal antecedents but he is on bail in all the cases.

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, claim based on parity 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 Sitamarhi (Mehsaal O.P.) P.S. case No. 555 of 2023, 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

