

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33880 of 2024

Arising Out of PS. Case No.-537 Year-2022 Thana- CHIRAIYA District- East Champaran

Jai Ram Sah (M) aged about 30 years, Son of Sahdeo Sah, Resident of-
Baidhnathpur, P.S.- Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anang Mohan Sinha, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 18-09-2024 Heard Mr. Anang Mohan Sinha, learned counsel
appearing on behalf of the petitioner and Mr. Kumar Veerendra
Narayan, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Chiraiya P.S. Case No. 537 of 2022, registered for the
offence punishable under Sections 147, 148, 149, 447, 448, 323,
324, 307, 379, 427, 504 and 506 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per the allegation made in the FIR, altogether 12
named accused persons including the petitioner had entered into
the house of the informant and had committed loot of article
amounting to rupees two lacs and had also loaded two she
buffalo on a pick-up van forcibly from his farm.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. There is general and omnibus allegation has been made against all the accused person. Specific allegation against the petitioner is that he had loaded the she buffalo on puick-up van, but, no recovery has been made from the house of the petitioner. Learned counsel further submitted that buffalos of the informant are still with the informant. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the specific statement of the petitioner made before this Court that no buffalo was forcibly taken away by the petitioner, Learned District Court is directed to verify from the material, which has surfaced in course of investigation and if it is found that the buffalo are not missing and are still with the informant, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of learned J.M. 1st Class at Dhaka, East Champaran, in connection with Chiraiya P.S. Case No. 537 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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