

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48676 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- BHELDI District- Saran

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Arun Ram, Son of Surendra Ram, Resident of Madrauli, P.S. - Amnaur,
District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raushan Raj, Adv.
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Bheldi P.S. Case No. 106 of 2024 registered
for the offence punishable under Section 394 of the Indian Penal
Code.

3. While the informant was returning to his house
after celebrating birthday party, in the meantime, he was
intercepted by five miscreants. One of the miscreants assaulted
the informant by means of lathi and others succeeded in fleeing
away after taking his mobile and snatching motorcycle.

4. Learned counsel for the petitioner contended that
the FIR has been instituted against unknown miscreants.
However, during the course of investigation, the name of the



petitioner has surfaced on the confessional statement of co-accused Kunal Kumar. Barring this, there is no material suggesting complicity of the petitioner in the present crime. Neither, the petitioner has been put on T.I. parade nor any incriminating material has been recovered from his possession. It is next contended that the alleged looted motorcycle has been recovered from the house of co-accused Dhiraj Kumar with whom the petitioner has no connection. The petitioner is in custody since 06.04.2024 having fair antecedent.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the materials collected during the course of investigation suggest complicity of the petitioner in the present crime.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case against the petitioner is based upon confessional statement, coupled with the fair antecedent and the investigation of the crime is complete, let the petitioner, named above, 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 learned C.J.M., Saran at Chapra in connection with Bheldi P.S. Case No. 106 of 2024, subject to the condition that one of the



bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and, in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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