

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52384 of 2023

Arising Out of PS. Case No.-213 Year-2022 Thana- CHAKIA District- East Champaran

Subodh Kumar Rai @ Subodh Kumar (male), aged about 24 years, S/O
Satyendra Rai R/O Village- Pakaha, P.S- Baikunthpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

6 10-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with
Chakiya P.S Case No. 213 of 2022 (G.R. No. 2949 of 2022)
registered for the offences punishable under Sections 395 of
the Indian Penal Code.

3. As per prosecution case, six miscreants
committed dacoity in the shop of informant and taken away
7 Kg gold and 50 Kg silver. It is further alleged that they
have inflicted fire arm injury to him as well as his brother.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is



further submitted that no recovery from the possession of the petitioner. Petitioner is not named in the FIR. It is next submitted that one of the co-accused has already granted bail by this Court *vide* order dated 02.02.2024 passed in Cr. Misc. No. 82791 of 2023. It is also submitted that petitioner is in judicial custody since 19.10.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named 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 learned C.J.M East Champaran at Motihari in connection with Chakiya P.S Case No. 213 of 2022 (G.R. No. 2949 of 2022) subject to following conditions:

(i) one of the bailors 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of the trial to mark his attendance;

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

(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 his bail bonds.

(Ramesh Chand Malviya, J)

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