

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68384 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Survir Kumar @ Survir @ Suryaveer Kumar @ Suryaveer Das @ Suraj Veer
Das @ Suryaveer S/O Balram Das @ Baliram Das R/O Village - Dhamon, P.
S- Patori , District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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

ORAL ORDER

3 03-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Hajipur Sadar P.S. Case No. 09 of 2024 instituted for the
offence under Sections 414 & 188 of the Indian Penal Code and
Section 52 of the Prisons Act, 1894.

3. Prosecution case in short is that during surprise raid
conducted in Prisoner Ward No. 7/4 where co-accused including
the petitioner were confined, one mobile phone was recovered
from the said ward of the prison, which is alleged to be used by
co-accused and the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 13-05-2024. Petitioner



bears thirteen criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that mobile phone is alleged to be recovered but without battery and SIM card. Nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the recovered mobile phone. Police after investigation has already submitted charge sheet in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Hajipur Sadar P.S. Case No. 09 of 2024, 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)

Raj Kishore/-

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