

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70726 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- TURKAULIYA District- East Champaran

Sahbag @ Rupesh Kumar Son of Ramesh sah Resident of Village- Pachrukha,
P.S.- Banjariya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Turkauliya (Banjariya) P.S. Case No. 81 of 2024 registered for
the offences punishable under Section 394 of the IPC.

3. As per prosecution case, informant was assaulted
by four unknown persons and two mobile phones and
motorcycle was taken away by them.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR and his name has been
surfaced on the basis of self confessional statement recorded in
Banjariya P.S. Case No. 149 of 2024 as mentioned in the
impugned order. Petitioner is in custody since 10.07.2024 and
bears criminal antecedent of two cases in which he is on bail.



He further submits that no TIP was conducted up till now. No incriminating article has been recovered from possession of the petitioner. Except confessional statement, there is nothing on record to connect the present petitioner with the alleged occurrence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Turkauliya (Banjariya) P.S. Case No. 81 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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