

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76050 of 2024

Arising Out of PS. Case No.-258 Year-2023 Thana- PIPRA District- East Champaran

Chandan Sah Son of Naga Sah Resident of village - Ramour Khajuriya Tola
@ Rampur Khajuriya Tola, P.S.- Dumariyaghat, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-10-2024 Heard Ms. Rashmi Jha, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Pipra P.S. Case No. 258 of 2023 for the offence punishable
under sections 461, 379 of the Indian Penal Code lodged on
18.08.2023 by the informant, Vimal Kumar.

3. As per the prosecution story, the informant alleged
about theft of rice, potatoes and pulses as well as the other
important documents from the Government school of the
informant who is the Head Master. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that
there is no eye-witness to the said occurrence, the police in a
zeal to implicate, only because he has criminal antecedent, has
dragged for which he has already suffered by being in custody



since 11.01.2024 (para 9 of the petition).

5. Learned APP opposes the prayer for bail submitting that he not only has criminal antecedent but also his name was followed in course of investigation.

6. Considering the submissions put forward by the parties as also the fact that he is in custody since 11.01.2024, FIR lodged, he will be diligently appearing in trial ultimately facing the trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Pipra P.S. Case No. 258 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 fortnight for one year 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.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

