

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86858 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- PIPRAHI District- Sheohar

Satyendra Kumar Son of Ram Padarth Rai Resident of Village- Hardiya, P.S.-
Bela, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Piprahi
P.S. Case No. 14 of 2024 instituted for the offences under
Section 394 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of committing loot with the CSP operator. It is
alleged that altogether Rs. 84,000/- along with other documents
viz. PAN, Aadhar, Bank passbook etc. was looted in the
occurrence by the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. and his name has
transpired in this case on the basis of the disclosures made by



the apprehended co-accused Virendra Kumar. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has also not put on Test Identification Parade. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedents and, in both of them, he is on bail and is languishing in judicial custody since 23.09.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Virendra Kumar and Sahiyog Kumar @ Sayog Kumar have already been granted bail by this Court vide orders dated 25.04.2024 & 10.05.2024 passed in Cr. Misc. Nos. 31574 of 2024 & 36162 of 2024 respectively.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The name of the petitioner has transpired in this case on the basis of the confessional statement of the co-accused Virendra Kumar which is contained in Para-49 of the case diary. The I.O. has submitted charge-sheet against the accused persons under Sections 395 and 120B/34 of the I.P.C. and they are facing trial in ST No. 54 of 2024.



7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, 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 Piprahi P.S. Case No. 14 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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