

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84704 of 2023

Arising Out of PS. Case No.-261 Year-2019 Thana- SONBERSA District- Sitamarhi

Ranjit Mukhiya Son Laxman Mukhiya @ Lakshman Mukhiya R/o Vill -
Bhutahi, P.S. - Sonbarsa (at present P.S. - Bhutahi), Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sonbarsa P.S. Case No. 261 of 2019 lodged under Section 394
of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against three unknown accused persons against whom
the allegation of robbery is there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that nothing incriminating has been recovered from the
possession of the petitioner and petitioner was not put on T.I.P..
He further submits that name of petitioner has figured in this
case by virtue of confessional statement of co-accused, namely,



Sikandar Mukhiya and others who have been granted bail by the Co-ordinate Bench of this Court and the said order is annexed as Annexure-P/2 of the bail petition.

5. Counsel submits that petitioner's antecedent is not clean and there is three criminal cases pending against him in which he is on bail. He submits that petitioner is in custody since 21.07.2020.

6. Counsel also submits that the offence under which chargesheet has been filed, is magisterial triable in nature.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Sitamarhi/ Competent Jurisdiction, in connection with Sonbarsa P.S. Case No. 261 of 2019, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

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

(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 the bail bonds.

9. However, the trial Court is directed to verify with certificate that petitioner is not absconding in other three cases.

(Dr. Anshuman, J.)

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