

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84084 of 2024

Arising Out of PS. Case No.-331 Year-2024 Thana- CHHATAUNI District- East Champaran

Balister Kumar @ Balister Pandey S/O Late Dhiraj Kumar pandey Resident
of village- Bara Bariyarpur, P.S.- Chhatauni, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Chhatauni P.S. Case No. 331 of 2024 for the offence punishable under sections 134 and 303(2) of the Bharatiya Nyaya Sanhita lodged on 16.08.2024 by the informant, Md. Raza.

3. As per the prosecution story, the informant alleged that while he was talking on his mobile sitting in an auto, someone snatched the same and escaped. Locals gave the name of the petitioner which led to the FIR/arrest.

4. Learned counsel for the petitioner submits that the auto driver could not recognize him, the locals due to enmity named him and though he is in custody since 17.08.2024 (paragraph-4 of the petition), the Police failed to conduct T.I. parade.



5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forwarded by the parties as also the fact that despite he being in custody since 17.08.2024, the Police could not conduct T.I. parade, FIR is there and he will be facing the music, 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 Chief Judicial Magistrate, East Champaran, Motihari, in connection with Chhatauni P.S. Case No. 331 of 2024 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)

Adnan/-

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