

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86291 of 2023

Arising Out of PS. Case No.-464 Year-2022 Thana- CHAPRA TOWN District- Saran

Ganga Rai Son of Late Asharfi Rai Resident of Village - Raipur, P.S.-
Doriganj, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Chapra Town P.S. Case No. 464 of 2022 registered under Section 80 of the Indian Penal Code lodged on 27.07.2022 by the informant, Md. Hasan Imam.

3. As per the prosecution story, the informant has alleged that his son bought a mobile in his name in which a JIO SIM was inserted in the name of his wife which got stolen in the night. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that unknowingly, he purchased the mobile and as such, he got implicated. FIR has been lodged. He being an illiterate person did not know that it is a stolen one and is ready to cooperate in



the trial.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into account the submissions put forward by the parties as also the fact FIR lodged and he will be facing the trial, this Court is inclined to grant him privilege of bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Chapra, Saran in connection with Chapra Town P.S. Case No. 464 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark 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 his 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 the bail bonds.

(Rajiv Roy, J)

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