

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2078 of 2024

Arising Out of PS. Case No.-463 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Raghubir Ram Son of Late Jagdish Ram R/o vill - Azampur, P.S. - Desari
(Chandpura O.P.), Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No. 136 of 2023, arising out of Sadar P.S. Case No. 463 of
2022 lodged under Section 395 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons against whom there is
an allegation that they have committed robbery at the
informant's shop.

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 he was not put on T.I.P.

5. Counsel further submits that before the trial court,
the bail application of the petitioner was rejected on 12.07.2023
with liberty that after two months, he may file an application,
but when he filed, then his application was not considered and



his bail application was rejected. Counsel also submits that petitioner's name has been figured in this case only due to the reason that there are 13 criminal antecedent pending against him.

6. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him. He submits that from the rejection order, it transpires that charge has already been framed in this case and prosecution has to adduce witnesses.

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 Addl. District and Sessions Judge-II, Vaishali at Hajipur in connection with S.Tr. No. 136 of 2023, arising out of Sadar P.S. Case No. 463 of 2022, 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 petitioner shall be granted bail only after ascertainment of the court below that the petitioner is not absconding any of the cases.

(Dr. Anshuman, J.)

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