

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21848 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- MOTIPUR District- Muzaffarpur

Sumit Kumar Ray S/O Shambhu Rai R/O Village- Bariyarpur, P.S- Nautan,
Distt.- Bettiah (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Adv.

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Motipur P.S. Case No. 218 of 2024 registered for the offences
punishable under Sections 323, 353, 224/34 of the Indian Penal
Code.

3. As per prosecution case, petitioner was
apprehended by the police and there is allegation that petitioner
and others fled away from the police custody.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has not committed any offence as
alleged in the first information report. He has been falsely
implicated in this case. Petitioner is in custody since
28.10.2024. Petitioner has criminal antecedent of two cases, in



which he is already on bail. Charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. Learned counsel for the petitioner submits that petitioner undertakes that he will not commit similar nature of offence in future.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and taking into consideration the material available on the record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 17th, Muzaffarpur in connection with Motipur P.S. Case No. 218 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application;

(ii) Petitioner will co-operate in trial and will



remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself;

(iii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail; and

(iv) Petitioner shall not commit similar nature of offence in future otherwise his bail bond will be cancelled.

(Alok Kumar Pandey, J)

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