

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49048 of 2025

Arising Out of PS. Case No.-98 Year-2014 Thana- CHHAURADANO District- East
Champaran

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Birendra Rai @ Birendra Yadav Son of Late Shiv Nath Rai Resident of
village - Kanuniya Katgenwa, P.S.- Adapur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Rathore Alias Kundan Kumar,Adv.
For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner has preferred this application for grant of
regular bail in connection with Chhauradano P.S. Case No. 98 of
2014 dated 22.09.2014 registered for the offences punishable u/s 395
of the Indian Penal Code.

3. As per the prosecution case, 7-8 unknown dacoits
armed with lathi, danda, poleaxe, iron rod entered in the informant's
house and they assaulted her and broke her almirah and they looted
Rs. 2,50,000/- in cash and ornaments and also households articles.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this case.
There is general and omnibus allegation against the petitioner. The
petitioner is not named in the F.I.R. The name of the petitioner has



sprung up in the confessional statement of the co-accused, Motilal Paswan. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The petitioner has three criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 26.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Chhauradano P.S. Case No. 98 of 2014 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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