

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35072 of 2017

Arising Out of PS.Case No. -182 Year- 2016 Thana -BACHWARA District- BEGUSARAI

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1. RAJU KUMAR @ RAJ KUMAR S/o Tuntun Bhagat resident of Village
Bingama Jalalpur P.S. Mohanpur O.P. District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
22.02.2017 in connection with Bachhawara P.S. Case No. 182 of
2016 for offence punishable under Section 392 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that while he was going by his Scorpio Car to his brother-in-law.
Three accused person in one another white car having blue beacon
light after descending from their car intercepted the car of the
informant and took the petitioner at the back seat of their car and
thereafter, he was pulled out of the car and the Scorpio car was
stolen by them.

It has been submitted by the learned counsel for the



petitioner that he is innocent, not named in the First Information Report and the vehicle was recovered in an abandoned condition. He submits that his name surfaced on the confessional statement of one Kanhaiya Kumar before the police, which has no evidentiary value in the eye of law. It is also submitted that charge-sheet has already been submitted and there is no allegation of tampering of prosecution witnesses by the petitioner and just because the petitioner does not have a clean antecedent, he has been falsely implicated in the aforesaid case.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner is involved in two cases of similar nature from before.

Considering the facts and circumstances and the materials on record, and also the period of custody, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Begusarai , in connection with Bachhawara P.S. Case No. 182 of 2016 subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship



with the petitioner and if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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