

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20451 of 2019**

Arising Out of PS. Case No.-131 Year-2018 Thana- PATRAKARNAGAR District- Patna

Rajesh Kumar, Son of Rishi Dev Roy, Resident of Village - Chitrasenpur,
P.S.- Sonapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar
For the Opposite Party/s : Mr. Tapeswar Sharma

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 03-04-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 19.06.2018 in a case registered for the offence punishable under Section 395 of the I.P.C.

The prosecution case as per the fardbeyan of Prabhat Narayan Singh recorded by Sanjeet Kumar Sinha Inspector-cum-SHO, Patrakar Nagar dated 12.03.2018 at 5.00 A.M., is to the effect that on the same day, while he was sleeping in his house, five miscreants entered into his house and on pistol point, they tied his hands and legs and also covered his eyes and mouth. It is further alleged that they robbed the household articles, jewellerys, gold chain, ear ring and cash amount of Rs.50,000/- to 60,000/-, leading to the registration of FIR against unknown persons. It is further alleged that the name of



the petitioner sprang up on the confessional statement of co-accused, Ankesh Kumar.

It is submitted by learned counsel for the petitioner that there is no recovery from the conscious physical possession of the petitioner. It is further submitted that chargesheet has already been submitted, but the petitioner has not been put on T.I. Parade, till date. It is further submitted that similarly situated co-accused Golu Kumar @Golu Kumar Singh @Golu and Utkarsh Vikram Rana @Rana @Utkarsh Rana have been granted bail by different Co-ordinate Benches of this Court vide order dated 29.10.2019 and 28.09.2018 passed in Cr. Misc. No.64733 and 60052 of 2018 respectively.

Learned APP submits that the name of the petitioner sprang up on the confessional statement of co-accused Ankesh Kumar and petitioner is having serious criminal antecedent.

Considering the fact that no recovery has been made from the conscious physical possession of the petitioner, the petitioner has not been put on T.I. Parade till date and similarly situated co-accused persons have been granted bail by different Co-ordinate Benches of this Court, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned **ACJM-X, Patna** in
connection with **Patrakar Nagar P.S. Case No.131 of 2018.**

Since the petitioner is having serious criminal
antecedent, learned Court below will be at liberty to cancel the
bail bonds of the petitioner, if he gets involved in serious nature
of cases or if he defaults for two consecutive eventualities.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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