

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77767 of 2019

Arising Out of PS. Case No.-482 Year-2019 Thana- JAHANABAD District- Jehanabad

RISHU RAJ Son of Krishanay Singh @ Krish Resident of Village and P.S.-
Bhuli, Distt - Dhanbad (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 395 of the Indian Penal Code.

Prosecution case in short is that the informant having
loaded tobacco on the Pick Up van from Hathichak, Vaishali
proceeded to Sherghati, Gaya. In the way, the miscreants riding
on motorcycle intercepted the Pick Up van and tying hands and
legs of the informant, threw him in the field and fled away with
the Pick Up van.

Learned counsel for the petitioner submits that
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 04.07.2019. Charge-sheet has



already been submitted. The petitioner is not named in the F.I.R. His name transpired in the case on the basis of confessional statement of co-accused. There is no recovery of any incriminating article from possession of the petitioner. He has not been put on test identification parade. He submits that similarly situated co-accused have been granted bail by coordinate Benches of this Court in Cr. Misc. No. 60507 of 2019 on 24.09.2019 and Cr. Misc. No.56607 of 2019 on 06.09.2019.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad Police Station Case No. 482 of 2019, subject to the conditions:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his



bail bond shall be cancelled by the court below.

(III) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Anjani Kumar Sharan, J)

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