

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79438 of 2019

Arising Out of PS. Case No.-551 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

RAJ KUMAR RAM, aged about 29 years (Male), Son of Shiv Shankar Ram,
Resident of Village- Devaria, P.s.- Jamania, District- Gazipur (U.P.).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anand Kishore Choudhary, Advocate.
For the Opposite Party : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 27-05-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences under Section 392 of the I.P.C.

The prosecution case, in short, is that the informant is
the owner of Rajasthan-Hariyana-Gujrat Transport Company.
On 06.09.2019, one Parikshit Bind came with Rajesh Kumar
Bind, who is the relative of the informant. Parikshit Bind
recognized himself to be the owner of a Truck bearing No. BR-
06GA-4358. It is alleged that on recognition of his relative



Rajesh Kumar, the informant authorized the Truck for loading the wheat from 'Shree Laxmi Trading', Bhabua, where he loaded 430 bags wheat total weight 251.15 quintal and the informant consigned the same wheat to Jagarnath Rice Mill and Flower Mill, Bhuneshwar but later on, his relative Rajesh Kumar informed him that unknown persons has given some intoxication injection to the Truck driver and cleaner and taken away the Truck loaded with wheat.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.09.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is only the driver of the said Truck. There is no recovery of any incriminating article from possession of the petitioner. The petitioner has not been put on T.I. Parade. Other similarly situated co-accused persons have been granted bail by another Co-ordinate Benches of this Court vide Cr. Misc. No. 71330 of 2019 under order dated 11.12.2019 and Cr. Misc. No. 72491 of 2019 under order dated 25.11.2019.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.



Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Bhabhua P. S. Case No. 551 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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