

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32825 of 2021

Arising Out of PS. Case No.-737 Year-2020 Thana- NAGAR District- Vaishali

PREM RAJ Son of Jay Prakash Kumar Resident of Village - Dayalpur, P.S.-
Rajapakar (Waranti O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Pd. Singh, Sr. Advocate Mr. Bhaskar Shankar
For the Opposite Party/s :		Mr.APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2021 Heard learned senior counsel for the petitioner and
learned counsel for the State.

Petitioner seeks bail in connection Hajipur Nagar P.S.
Case no. 737 of 2020 registered for the offence punishable
under section 394 of the Indian Penal Code read with section 27
of the Arms Act.

Learned senior counsel for the petitioner submits that
petitioner is in custody since 18.01.2021 and charge sheet has
been submitted. Learned senior counsel for the petitioner further
submits that from perusal of the allegation as alleged in the FIR,
it would manifest that the informant alleges that on 13.11.2020
at about 10 a.m., he started from his house on his Glamour
motorcycle for SBI bank Anjanpir with Rs 5 lac which was kept



in a bag. Thereafter it is alleged that two young boys on a motorcycle came from behind and stopped his motorcycle near Kanchan Bakery. Thereafter it is alleged that one of the motorcyclist who was wearing half paint and white T-shirt fired at him which hit him and he fell down on the ground being injured and other miscreant who was wearing blue Jeans paint and black T-Shirt snatched his bag and fled away from the place of occurrence. Further, villagers took the informant to hospital from where he was referred to Paras hospital for better treatment. It is further alleged that apart from Rs 5 lac, Laptop, Adhar card, PAN card, passbook and other papers which were snatched by the miscreants. Learned senior counsel for the petitioner next submits that petitioner is not named in the FIR and his name has come in the confessional statement of Chandan Kumar. From impugned order, it would manifest that recovery of alleged articles has been made from the house of Dhiraj Kumar and Aman Kumar. He further submits that petitioner is in custody but till date he has not been put on TI parade when informant in the FIR has very categorically stated about the miscreants who committed the occurrence.

Learned APP opposes the prayer for bail and submits that petitioner has one criminal antecedent as mentioned in para



3 of bail petition.

Considering the facts that petitioner is in jail custody since 18.01.2021 and charge sheet has been submitted, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in Hajipur Nagar P.S. Case no. 737 of 2020 with condition that one of the bailers would be his father and further if petitioner after commencement of trial does not appear on two consecutive dates, the learned court below shall proceed to cancel his bail bond.

(Satyavrat Verma, J)

s.hassan/-

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