

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 37222 of 2021**

Arising Out of PS. Case No.-217 Year-2019 Thana- BHAGWANPUR District- Vaishali

RAJA KUMAR S/o- CHANDRAKET RAI Resident of Village- Dighi Khurd,
P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Abhishek Kumar, Advocate

For the Opposite Party/s : Mr Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, APP) appearing for the State of Bihar.

The petitioner seeks bail in Bhagwanpur Police Station (for brevity, PS) Case No 217 of 2019 instituted for the offence punishable under Section 392 of Indian Penal Code.

Prosecution case is that two unknown persons have snatched the motorcycle and other belongings of the informant.

Learned counsel for the petitioner submits that upon his arrest in Lalganj PS Case No 332 of 2019, the petitioner has falsely been implicated in this case though there is no recovery from his possession. Recovery is from co-accused Damodar Rai and it has been alleged that the same is based on petitioner's



confession in police custody, which is not sustainable in the eyes of law. Petitioner is in custody since 20.05.2020 and other than Lalganj PS Case No 332 of 2019, there is no criminal antecedent against him.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Vaishali at Hajipur in Bhagwanpur PS Case No 217 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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