

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30476 of 2020

Arising Out of PS. Case No.-488 Year-2019 Thana- MUFFASIL District- West Champaran

NEERAJ KUMAR RAM Son of Sri Jeevan Ram @ Jiut Ram Resident of
Village - Banuchhapar, P.S. - Bettiah Muffasil (Banuchhapar), District - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-02-2021

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 393 and 34 of the Indian
Penal Code.

Earlier also, petitioner had moved this Court for
grant of regular bail which was rejected vide Annexure 1,
annexed with supplementary affidavit, with liberty to renew his
prayer for bail after completing one year in jail custody.

Informant has alleged in his written complaint that on
25.08.2019 at about 10:00PM, while he was going to Bettiah,
two miscreants on one motorcycle followed him and intercepted
his motorcycle and one miscreant tried to snatch his mobile and
bag and on alarm being raised, people assembled there and
apprehended one of the two accused and another fled away



leaving his mobile and the apprehended accused disclosed his name as Neeraj Kumar (petitioner) and the accused who fled away as Subhash Das.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has been submitted that petitioner is in custody since 26.08.219 and there is no progress in proceeding of the case.

Considering the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, **after framing of charge or if the charge has already been framed** let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Trial No.813 of 2020 arising out of Bettiah Muffasil (Banuchhapar) P.S. Case No. 488 of 2019 with following conditions:-

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

(2) 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 the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) 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.

(S. Kumar, J)

Sanjay/-

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