

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38171 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- VAISHALI District- Vaishali

RAJU RAI @ RAJU KUMAR Son of VINDESHWAR RAY Resident of
Village - Diwan Tok, Terahrasia, P.S. - Ganga Bridge, District - Vaishali at
Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 25.02.2020 in connection with Vaishali (Belsar-OP) P.S. Case No. 13/2020 registered for the offences punishable under Sections 392 of the Indian Penal Code.

As per the prosecution case, on 13.01.2020, while the informant went to Saraiya to deliver 43 packets of goods by motorcycle and reached near Shivan Chowk, three bike borne unknown miscreants looted the article on the point of pistol and fled away.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR and nor was he caught on the spot. It is further submitted that no incriminating article has



been recovered from the possession of the petitioner and save and except confessional statement of the co-accused Pintu Kumar, there is no other material to connect this petitioner with the present case. It is next submitted that co-accused Pintu Kumar has already been granted bail by this Hon'ble High Court vide order dated 25.08.2020 passed in Cr. Misc. No. 22502/2020. Chargesheet has already been submitted in this case. Petitioner is in custody since 25.02.2020.

Considering the aforesaid facts and circumstances and taking into consideration the period of custody, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned J.M. 1st Class, Vaishali at Hajipur, in connection with Vaishali (Belsar-O.P.) P.S. Case No. 13/2020, subject to following conditions:-

- (1) 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.



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

(Prabhat Kumar Singh, J)

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