

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39174 of 2020

Arising Out of PS. Case No.-156 Year-2019 Thana- KARJA District- Muzaffarpur

Ram Babu Singh @ Baba, Son of Brahamdeo Singh, Resident of Village-
Jogiria (Basara Kazi), P.S- Jaintpur, O.P. (Saraiya), District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Awadhesh Prasad Sinha, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Karja P.S. Case No. 156 of 2019 registered
for the offences under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per
the prosecution story, some persons aged between 25 – 30 years
broke open the glass door of the Customer Servicing Point of
the Central Bank of India at about 1:45 P.M. They were lashed
with weapon, asked the informant to handover all the money
and thereafter they took away Rs. 2,50,000/- and one mobile
phone from the Centre.

Learned counsel submits that so far as this petitioner
is concerned, he is aged about 50 years whereas the description
given in the F.I.R. is that of the persons in between 25-30 years



of age. It is further submitted that the name of the petitioner has been brought in this case and he has been taken on remand when he was arrested in connection with another case.

Learned counsel submits that save and except the confessional statement in which the name of the petitioner is said to have transpired, there is absolutely no material to connect the petitioner with the alleged occurrence. It is stated that he has been involved in two other cases out of which in one case he is on bail and in another case his application is still pending.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. It is stated that his name has transpired in the confessional statement of the co-accused who has stated that the looted amount has been distributed amongst them.

Having regard to the facts and circumstances of the case, wherein this Court has noticed that in the F.I.R. the description of the accused have been provided saying that they were aged between 25-30 years but the petitioner is said to be aged about 50 years as appearing from the age declared in this petition and further that save and except the confessional statement there is no other material against him and till date he



has not been identified in connection with the present case, this Court directs release of the petitioner on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri Hemant Kumar, learned Judicial Magistrate - 1st Class, Muzaffarpur, in connection with Karja P.S. Case No. 156 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of



bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

