

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9479 of 2021**

Arising Out of PS. Case No.-442 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

RAJAN RAM, Son of Vishun Ram, Resident of Madhuban Katee, P.S.-
Minapur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Choudhary, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 12-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 420/467/468/471/120(B)/34
of the Indian Penal Code.

Allegation against the petitioner along with other
accused persons is said to have cheated the innocent people and
by changing their ATM Card, they clone the ATM Cards and
take away the money from their bank accounts. The petitioner
and other accused persons also recovered from the possession
of intoxicating substances like Charas, mobile phone and



motorcycle.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that as per seizure list one mobile and one Debit Card have been recovered from the possession of the petitioner. There is recovery of contraband articles from the possession of petitioner and other co-accused persons, so far as in another P.S. Case No.443/2020, under Sections 20, 22 of the NDPS Act. The petitioner is languishing in judicial custody since 14.08.2020. The petitioner has got 04 criminal antecedents which is mentioned in para 3 of the bail petition. Similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 09.07.2021 passed in Cr. Misc. No.21581/2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the similarly situated co-accused has been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Sadar P.S. Case No. 442/2020 to the satisfaction of learned Court below where the case is pending/



successor court; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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