

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3048 of 2022

Arising Out of PS. Case No.-208 Year-2021 Thana- BAKHARI District- Begusarai

Raj Kishore Kumar, Son Of Lalan Yadav @ Lalan Kumar Yadav, R/O
Village- Sihma, P.S.- Bithan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Bakhri P.S. Case No. 208 of 2021 registered for
the alleged offences under Sections 392 and 397 of the Indian
Penal Code and Section 27 of the Arms Act.

As per prosecution case, three unknown miscreants
snatched the bag of the informant containing Rs. 3,74,620/- at
gun point. The miscreants also resorted to firing. During
investigation the name of the petitioner surfaced as one of the
accused persons.

The learned counsel for the petitioner submits that the



petitioner has been falsely implicated in this case. The petitioner was not named in the FIR and nothing incriminating has been recovered from his possession. He has been roped in this case merely on suspicion on the basis of his confessional statement which has got no legal value. Though the informant claimed that he could identify the miscreants, the petitioner was not put to any Test Identification Parade. The petitioner is in custody since 04.10.2021 and charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent and he is accused in a case of Arms Act.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and also considering his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Begusarai in connection with Bakhri P.S. Case No. 208 of 2021, subject to the conditions mentioned in Section 437(3) of the



Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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