

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4234 of 2022

Arising Out of PS. Case No.-163 Year-2021 Thana- PATRAKARNAGAR District- Patna

SAMAR RAJ @ MONU KUMAR Son of Raju Prasad Resident Tikiyatoli
Near Mahendru Post office, Police Station - Sultanganj, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Sinha

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 19-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Patrakarnagar P.S. Case No. 163/2021 registered for the
offences punishable under Section 392 of the Indian Penal
Code.

As per prosecution case, the informant alleged that on
07.03.2021 at about 1.30 AM, while he was passing through the
90 feet road, three men came whose faces were covered, robbed
his motorcycle. Thereafter, the motorcycle was recovered and
seized from Gardanibagh and case registered vide Gardanibagh
P.S. Case No. 100/2021.



Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely on suspicion. Nothing has been recovered from the possession of the petitioner and the said motorcycle has been recovered from Gardanibagh, Patna. The name of petitioner has been sprang up in this case only his self confessional statement and the petitioner was remanded in this case from another case in Sultanganj P.S. Case No. 65/2021 where he confessed his involvement in the present case as well as other cases. Except the self confessional statement nothing is found to rope the present petitioner as alleged occurrence. The petitioner is languishing in custody since 13.04.2021 and bears criminal antecedent of six cases of similar nature. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be



released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VIII, Patna/ concerned court in connection with Patrakarnagar P.S. Case No. 163/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

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

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

(v) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the



concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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