

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3685 of 2022

Arising Out of PS. Case No.-369 Year-2021 Thana- JAKKANPUR District- Patna

RAJA KUMAR S/o Ashok Sahni R/o village- Sammaspur Triveni Ghat, P.S.-
Fatuha, Distt.- Patna, Present Resident of Sorangpur, Ram Krishna Nagar,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-05-2022 Heard learned counsel for the petitioner and learned
APP for the State in virtual court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Petitioner seeks bail in a case registered for the offences punishable under Sections 401, 413, 414 of the Indian Penal Code.

As per prosecution case, in brief, is that the informant, S.I. along with other police party were on patrolling duty and got secret information that some thieves are gathered near Mithapur Sabzimandi. The police reached there at 10:25 O'clock and seeing them the accused persons tried to escape but the police chased and apprehended them. On asking, they disclosed their



names as Raja Kumar, Avinash Kumar, Abhishek Kumar and Chandan Kumar. The police interrogated and they confessed that they did work of theft by moving in Bihar and out of Bihar and they are the members of the gang.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits nothing incriminating article has been recovered from the possession of the petitioner. He further submits that it appears from the F.I.R. that one Samsung mobile in bad condition, one mobile of Samsung Company with keypad, one Nokia mobile have been recovered from the possession of the petitioner and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 08.08.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Jakkanpur P.S. Case No. 369 of 2021, with the 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 and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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.

(Rajesh Kumar Verma, J)

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