

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4740 of 2022

Arising Out of PS. Case No.-335 Year-2020 Thana- DINARA District- Rohtas

UPENDRA KUMAR RAJBHAR @ BHUAR S/o- Ram Avtar Rajbhar
Resident of Village - Mahadah, P.S. - Buxar (M), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Mr. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioner seeks bail in connection with Dinara
P.S. Case No. 335 of 2020 registered for the offence under
Sections 395 and 412 of the IPC.

The petitioner is not named in the FIR and is in
custody since 11.01.2021

The allegation against the petitioner is to commit
Dacoity along with other co-accused persons and while
committing so cash of Rs. 1900/-, mobile, motorcycle, etc. of
the informant was taken away.

Learned counsel appearing on behalf of the



petitioner submitted that the name of the petitioner surfaced on the basis of confessional statement of the co-accused, namely, Piyush Kumar. He further submitted that nothing incriminating material has recovered from the conscious possession of the petitioner. In furtherance of the confessional statement which may connect from the present occurrence.

APP appearing on behalf of the State while opposing the prayer for bail fairly conceded the fact that nothing incriminating material has been recovered from physical or conscious possession of the petitioner, which may connect with the present occurrence.

In view of the facts and circumstances as the name of the petitioner suppressed on the basis of confessional statement of the co-accused, which may connect with the present occurrence of the *Dacoity*, let the petitioner, above named, are directed to be released on bail in connection with Dinara P.S. Case No.335 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Bikramganj, Rohtas subject to the following conditions:

“(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the



State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be father of the petitioner, namely, Ram Avtar Rajbhar, who is the deponent of the present bail petition.”.

(Chandra Shekhar Jha, J)

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