

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20181 of 2022

Arising Out of PS. Case No.-767 Year-2021 Thana- SONEPUR District- Saran

RAMAYAN KUMAR @ RAMAYAN RAY, Son of Late Nand Kishor Ray
Resident of Village- Jaitiya, Police Station- Sonepur, District- Saran (Chapra)
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-07-2022 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 395 of the Indian Penal Code.

Allegation is recovery of 72 packets of stolen cement from the house of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It is further submitted that seven persons have been named in the FIR but petitioner is not named in the FIR and his name has surfaced in this case on the confessional statement made by the co-accused Vishal Kumar stating therein that petitioner helped co-accused Bittu Kumar in keeping the cement. It is further submitted that petitioner is brother of the co-accused Bittu Kumar, due to which name of the petitioner has been roped in

this case but as a matter of fact, petitioner is separate in mess and property from co-accused Bittu Kumar, having no concern with his affairs. Petitioner has no criminal antecedent and he is in custody since 25.12.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sonapur P.S. Case No. 767 of 2021 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

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

Sanjay/-

U		T	
---	--	---	--

(S. Kumar, J)