

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31349 of 2021**

Arising Out of PS. Case No.-183 Year-2019 Thana- NASRIGANJ District- Rohtas

RAJU YADAV @ RAJU KUMAR SON OF KAMATA SINGH R/O
VILLAGE- HALDI BIGHA, P.S.- NASRIGANJ, DISTRICT- ROHTAS AT
SASARAM.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 07-02-2022 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.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Nasriganj P.S. Case No. 183 of 2019 registered for the offence under Sections 395 of the Indian Penal Code.

Two persons are said to have assaulted the informant and his driver and snatched the bolero pickup along with mobile and cash.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits the petitioner has not been named



in the F.I.R. and has been made accused on the basis of confessional statement of the co-accused, Himashu Raj, who has already been granted bail by a co-ordinate Bench of this Court vide order dated 05.06.2020 passed in Cr. Misc. No. 1456 of 2020. He also submits that neither anything incriminating has been recovered from the conscious possession of the petitioner nor he has been put on T.I.P. by the prosecution as yet. Moreover, the co-accused, namely, Chulhan Master has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 29.02.2020 passed in Cr. Misc. No. 10029 of 2021 and vide order dated 18.01.2020 passed in Cr. Misc. No. 86507 of 2019, another co-accused, namely, Moti Saw has been granted regular bail by a co-ordinate Bench of this Court. The petitioner is rotting in judicial custody since 19.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II-cum-Sub- Judge-II, Bikramganj, Rohtas at Sasaram in connection with Nasriganj P.S. Case No. 183 of 2019 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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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