

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23096 of 2022

Arising Out of PS. Case No.-261 Year-2020 Thana- EKANGARSARAI District- Nalanda

RAMAN RAJAK SON OF HIRA RAJAK R/O VILLAGE- CHAMHERA,
P.S.- EKANGAR SARAI, DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-07-2022 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
Ekangar Sarai P.S. Case No. 261 of 2020 registered for the
offences punishable under Section 379 of the Indian Penal
Code.

As per prosecution case, on 18.09.2020 the
informant had gone to Madhya Bihar Gramin Bank alongwith
her husband on motorcycle to open bank account and when she
came outside the bank, her motorcycle was found missing. The
FIR has been registered against unknown.

Learned counsel for the petitioner submits that



petitioner is not named in the FIR and the FIR has been lodged against unknown. He further submits that name of the petitioner has been sprang up on the basis of confessional statement of co-accused Lallu Kumar, Sanjeev Kumar and Laxman Rajak which has no evidentiary value. Nothing has been recovered from conscious possession of the petitioner and he has falsely been implicated in this case. Petitioner is in custody since 21.02.2022 and bears criminal antecedent of seven cases of similar nature. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence. He further submits that co-accused Laxman Rajak and Lallu Kumar have been granted bail by the co-ordinate Bench of this court vide Cr. Misc. No. 26073 of 2021 and analogous case. Co-accused Sanjeev Kumar has been granted bail by the co-ordinate Bench of this court vide Cr. Misc. No. 41029 of 2021 and the case of present petitioner stands on better footing.

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

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering the evidence and also taking into consideration the material available on record,



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 Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Ekangar Sarai P.S. Case No. 261 of 2020, 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.

(Alok Kumar Pandey, J)

shahzad/-

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

