

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34006 of 2021**

Arising Out of PS. Case No.-281 Year-2020 Thana- KARJA District- Muzaffarpur

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Rahul Kumar, Son of Awdhesh Sahni @ Awdhesh Kumar Sahni Resident of
Village - Kamalpura, P.S.- Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

5 28-02-2022 Heard learned counsel for the petitioner as well as
learned APP for the State.

Let the defects, as pointed out by the office, be removed
within four weeks of start of normal functioning of the physical
court.

The petitioner seeks bail in connection with Karja P.S.
Case No.281 of 2020 registered for the offence punishable under
Section 392 of the IPC.

The prosecution case in short is that, on 13.11.2020 at
about 23.00 PM when the informant and his brother were going to
their home at village-Raksha on a motorcycle with purchased cloths
and as soon as they reached near Marwan Chowk near old Block



Office, Karja towards Kanti Road, one Kwid car of white colour came from behind close the motorcycle, informant stopped his motorcycle. Four persons came out from the said car and pointed pistol upon informant and they snatched his bundle of cloths and keeping the cloths in the dicky of car and went away towards Kanti road. Informant informed the Karja police station through mobile about the occurrence giving the registration of the car and also physical features of the four criminals whose faces were opened and claim to identify on seeking them.

Learned counsel appearing on behalf of the petitioner submits that petitioner is not named in the FIR. He has falsely been implicated in the present case. He further submits that the petitioner was arrested in Kanti P.S. Case No.668 of 2020 and the petitioner was remanded in this case 21.12.2020. He further submits that till date no TIP has been conducted by the prosecution and nothing has been recovered from the conscious possession of the petitioner. He further submits that charge sheet has been submitted in this case and is in custody since 21.12.2020.

Learned APP for the State on the basis of the material available on the record and the case diary has fairly submits that there is no sufficient material against the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount



each to the satisfaction of learned A.C.J.M., Vth, Muzaffarpur in connection with Karja P.S. Case No.281 of 2020 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 cancelled 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 steps 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)

Prakash Narayan /-

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