

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27101 of 2022**

Arising Out of PS. Case No.-471 Year-2021 Thana- BIHAR District- Nalanda

AMAR @ DHAN RAJ Son of Avdesh Prasad Resident of Village - Tardpar  
(Lakharavo), P.S.- Deepnagar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate  
For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      23-08-2022                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Let the defect(s), if any, as pointed out by the office  
be removed within four weeks.

The petitioner is in judicial custody in connection  
with Bihar P.S. Case No. 471 of 2021 for the offences under  
Sections 392 and 412 of the Indian Penal Code and further  
amended under Section 395 of the Indian Penal Code.

As per the allegation in the FIR, when the informant  
and his cousin were moving towards Bazar Samiti on a E-  
Rickshaw carrying a bag containing Rs. 2 lakhs and Rs. 3.75  
lakhs respectively, two accused persons on a motorcycle started  
following them and finally on the point of pistol, they snatched  
the bag and fled away.



Learned counsel for the petitioner submits that subsequently during the investigation, one Md. Asif was arrested on whose confession, the name of the petitioner has come. He further submits that for the said alleged implication in this case, he has suffered a lot by being in custody since 27.10.2021 (as stated in paragraph-11 of the bail application). He further submits that similarly situated co-accused, namely, Md. Irfan @ Fanu has since been granted the privilege of bail by a co-ordinate Bench of this Court vide order dated 18.07.2022 passed in Cr. Misc. No. 28130 of 2022.

Let the same be kept on record.

Taking into account the aforesaid facts including that the petitioner is in custody since 27.10.2021, charge sheet stands submitted and one of the similarly placed co-accused has been granted the privilege of bail, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of I/C Chief Judicial Magistrate, Nalanda in connection with Bihar P.S. Case No. 471 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member of



the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Jagdish/-

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