

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28008 of 2022

Arising Out of PS. Case No.-162 Year-2020 Thana- EKANGARSARAI District- Nalanda

RAMAN RAJAK S/o 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, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-08-2022 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 Eknagar Sarai P.S. Case No. 162 of 2020 for the offences
under Sections 379 of the Indian Penal Code.

As per the prosecution story, the informant had parked
the tractor at his tube well and in the morning it was missing.
Accordingly, the FIR was lodged.

Subsequently, during the investigation it came to
notice that the accused persons including the petitioner herein
were involved in the alleged stealing of the tractor.

Learned counsel for the petitioner submits that only



on the ground of suspicion, his name has been implicated in this case although nothing has been recovered from him. He is a washer-man and have landed property and cannot even think of stealing the tractor. He lastly submits that some of the co-accused persons have since been enlarged on bail in Cr. Misc. No. 27095 of 2021 (Laxman Rajak) disposed of on 08.12.2021, Cr. Misc. No. 45966 of 2021 (Sanjeev Kumar) disposed of on 16.02.2022 and Cr. Misc. No. 35248 of 2021 (Lalu Kumar) disposed of on 19.01.2022.

Taking into account the aforesaid facts and also the fact that the petitioner is in custody since 10.01.2022 (as stated in paragraph-11 of the bail application), charge sheet stands submitted and some of the accused persons have been granted 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 ACJM, Hilsa, Nalanda in connection with Ekangar Sarai P.S. Case No. 162 of 2020, 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;

(v) 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)

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