

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39727 of 2021**

Arising Out of PS. Case No.-249 Year-2019 Thana- RAJAOLI District- Nawada

Raja Kumar Son of Upendra Prasad Yadav Resident of Village - Takuatand,
P.S.- Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Adv.

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 05-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 15.02.2021 seeks
bail in connection with Rajauli P.S. Case No.249 of 2019
registered for offence punishable under Section 392 of the
Indian Penal Code.

Prosecution case in brief, is that the informant Ranjeet
Kumar who was serving as Credit Manager at Bharat Financial
Inclusion Limited at Rajauli Branch and while he was going to
deposit Rs.14,33,150/- only, some unknown persons on three



black-read colour pulsar motorcycle succeeded to stop the informant and snatched away the bag containing the aforesaid amount on the point of pistol.

Learned counsel appearing on behalf of the petitioner submits that the name of the petitioner has come in his confessional statement before the police and he was forced by the police to put his signature on plain paper, upon which the confessional statement was drawn subsequently. It has further been stated that nothing has been recovered from the possession of the petitioner. The petitioner has not been put on TIP and the petitioner was not identified in CCTV footage.

Learned APP for the State, however, opposes the prayer for grant of bail to the petitioner.

Considering the above-mentioned facts and circumstances of the case, there being no allegation of tampering with the evidence and influencing the witness, the petitioner has been made accused in the present case on his confessional statement before the police and nothing having been recovered from his conscious possession, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/-(Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Nawada in connection with Rajauli P.S. Case No.249 of 2019, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Prakash Narayan /-

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