

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39774 of 2021

Arising Out of PS. Case No.-102 Year-2017 Thana- BARURAJ District- Muzaffarpur

Rajan @ Anand Son of Rajendra Bhagat Resident of Village - Burhanpur,
P.S.- Deoriya, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-01-2022 Heard the parties through the video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

Petitioner who is in custody since 29.11.2020 seeks
regular bail in connection with Baruraj P.S. Case No. 102 of
2017 registered for the offence punishable under section 395 of
the Indian Penal Code.

The prosecution case in brief is that the informant
Dhananjay Kumar gave a written report to the S.H.O. of Baruraj
Police station, stating that on 6.9.2017, six persons came on
three motorcycles at the shop of his younger brother and
enquired whereabouts of one Ranjan Singh and not being
satisfied with answer of the staff of the shop, they took Rs.
70000/- from cash box on the point of pistol. The informant



apprehends that one Vikash Singh and Lal Mohammad with the help of some unknown persons have killed his father.

It has been submitted on behalf of the petitioner that there was no question of apprehension and as such he has made specific prayer in para-9 of the bail petition that he was out of station to earn his livelihood and could not surrender due to no knowledge of his being implicated in the present. Learned counsel further submits that the petitioner is not named in the FIR and his name has surfaced on the confessional statement of one co-accused Sujeet Kumar. He submits that nothing has been recovered from his possession and no Test Identification Parade has been conducted so far. He further submits that charge-sheet has already been submitted and the petitioner is in custody since 29.11.2020. He also submitted that co-accused Sujeet Kumar has been granted bail by the coordinate bench of this Court vide order dated 4.9.2018 passed in Cr. Misc. No. 54609 of 2018.

Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case and the material on record, let the petitioner, named above, be enlarged 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 Srif Mahendra Mishra, J.M. 1st Class,
Muzaffarpur, in connection with Baruraj P.S. Case No. 102 of
2017 subject to the following conditions:-

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

(2) Petitioner shall cooperate 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)

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