

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33631 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- MUZAFFARPUR RAIL P.S. District- Saran

Raju Kumar, son of Ghuran Paswan Resident of Village - Hunarihiya Rupauli
Buzurg , Ward no.5, P.S.- Musari Gharari, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with

Muzaffarpur Rail P.S. Case No.02 of 2022 registered for the

offences punishable under Sections 461 and 379 of the Indian

Penal Code.

Allegedly, informant's bag containing valuable

ornaments, Rs.10,000/- cash, a mobile phone and aadhar card

etc. were stolen away by someone when the informant was

travelling by a train and at the time of alleged occurrence of

theft she was asleep.



The main submissions advanced by the learned counsel Mr. Rajeev Kumar for the petitioner are that the petitioner has got no criminal antecedent and has been languishing in jail since 24th March, 2022. Further submission is that against the petitioner the investigation has been completed and only stolen mobile phone is alleged to have been recovered from his possession and other stolen articles are not alleged to have been recovered from the possession of this petitioner.

Learned APP Mr. Umeshanand Pandit appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. Though the stolen mobile phone is stated to have been recovered from the possession of this petitioner but however considering his clean antecedent and also the fact that the petitioner has been chargesheeted and in the present time his case is at initial stage and he has been languishing in jail since 24th March, 2022, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Muzaffarpur Rail P.S. Case No.02 of 2022, on 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 below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his 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.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(4) The Court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the Court below shall take strict action against him for cancellation of his bail bond.

(Shailendra Singh, J.)

sangam/-

U		T	
---	--	---	--

