

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45023 of 2021

Arising Out of PS. Case No.-140 Year-2020 Thana- BELDOUR District- Khagaria

=====

RAUSHAN KUMAR SINGH @ RAUSHAN SINGH Son of Late Arun Singh Resident of Mohalla - Bishuniya Koriyapatti, Ward no. 7, P.S. - Jadiya, District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate.

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

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-02-2022 Heard the parties through video conferencing.

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

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

The petitioner, who is in custody since 26.07.2020, seeks regular bail in connection with Beldaur P.S. Case No. 140 of 2020 for the offence punishable under Sections 395 and 412 of the Indian Penal Code.

The prosecution case, in brief, is that 5-6 unknown miscreants are said to have robbed the trailer bearing Registration No. JH 15H 8184 of the informant loaded with 32.040 MT iron rods.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that neither any incriminating article has been recovered from conscious possession of the petitioner nor he has been put on T.I. parade. Petitioner is not named in the F.I.R. The name of the petitioner has surfaced on the basis of confessional statement of co-accused Rahul Kumar Singh who has been granted bail by a co-ordinate Bench of this Court vide order dated 28.06.2021 passed in Cr. Misc. No. 5178 of 2021. Petitioner has clean antecedent and he is in custody since 26.07.2020.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, period of custody of the petitioner, nothing has been recovered from conscious possession of the petitioner and Similarly situated co-accused namely Rahul Kumar Singh, on whose confession name of the petitioner has surfaced in this case, has been granted bail by a co-ordinate Bench of this Court vide order dated 28.06.2021 passed in Cr. Misc. No. 5178 of 2021, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/-



(Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Khagaria in connection with Beldaur P.S. Case No. 140 of 2020, 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

mantreshwar/-

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

