

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34935 of 2022

Arising Out of PS. Case No.-401 Year-2019 Thana- KHAGARIA District- Khagaria

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RANJAN DAS @ Rajan Das S/o Sikandar Das @ Bhola Das Resident of
Village- Sakarpura, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Gautam

For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-07-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Khagaria (Mufassil) P.S. Case No. 401 of 2019 registered for

the offences punishable under Sections 356, 379 & 392 of the

Indian Penal Code.

As per prosecution case, informant alongwith his

friend was returning to his house and on the way they stopped

their motorcycle for natural call. When they were involved in

natural call, in the meantime, the informant's motorcycle was

taken away by unknown miscreants.

Learned counsel for the petitioner submits that



petitioner is in custody since 26.03.2022. Petitioner bears criminal antecedent of three cases. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that F.I.R. is lodged against unknown. Name of present petitioner has been sprang up upon the confessional statement of co-accused Tinku Kumar. Nothing has been recovered from the possession of the petitioner. No TIP was conducted till today. Learned counsel further submits that co-accused Tinku Kumar, on whose confessional statement name of present petitioner has been surfaced in the present case, has already been granted bail vide Cr. Misc. No. 8731 of 2020. The case of present petitioner stands more or less on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Mufassil) P.S. Case No. 401 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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