

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44873 of 2021**

Arising Out of PS. Case No.-103 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

Aryan Raj @ Rahul Singh S/O Sunil Singh R/O Village-Gausganj, P.S-Ara
Town, District-Bhojpur At Ara.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Singh, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 10-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Ara Muffail PS case no. 103 of 2021 instituted for the offences punishable under Section 395 of Indian Penal Code.

The case of the prosecution in brief is that 05 unknown miscreants had entered the Bank in question, whereafter they had, on pistol point, looted cash amount to the tune of Rs. 2,38,000/-.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He has falsely been



implicated in the present case. He further submits that the name of the petitioner has transpired only on the basis of the confessional statement of co-accused, namely, Amit Kumar @ Vicky Kumar. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that during investigation nothing has come against the petitioner and other co-accused persons except the confessional statement of co-accused. He further submits that co-accused, namely, Nitish Kumar Singh @ Golu Singh has been granted bail vide order dated 03.03.2022 in Cr.Misc. No.43790 of 2021 by a Coordinate Bench of this Hon'ble Court and the petitioner is in custody since 01.05.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Muffail PS case no. 103 of 2021 with 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 and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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