

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60264 of 2021**

Arising Out of PS. Case No.-278 Year-2020 Thana- CHAPRA TOWN District- Saran

RAJU RAI @ LANGAR RAI Son of Lalu Rai @ Lalu Ray Resident of
Village- Chhota Telpa, P.S.- Chapra Town, District- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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

3 13-04-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 379 of the Indian Penal Code.

The motorcycle of the informant is said to have been
stolen.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the petitioner has not been
named in the F.I.R. but merely on the basis of confessional
statement of the co-accused, Vicky Kumar, he has been made
accused in this case. He further submits that nothing
incriminating has been recovered from the conscious possession
of the petitioner nor any T.I.P. has been conducted by the



prosecution. Moreover, the co-accused, namely, Pintu Kumar, Pintu Rai @ Puntu Rai and Dhanjeet Mahto, having more or less similar allegation, have already been granted bail by a co-ordinate Bench of this Court vide order dated 22.03.2021, 27.07.2021 and 31.05.2021 passed in Cr. Misc. No. 1996 of 2021, Cr. Misc. No. 13531 of 2021 and Cr. Misc No.24008 of 2021, respectively. The petitioner is rotting in judicial custody since 30.05.2020.

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

Considering the facts and circumstances of the case, let the, above named, 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 learned Court below where the case is pending in connection with Chapra Town P.S. Case No. 278 of 2020 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 canceled 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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