

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60590 of 2021**

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

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AJEET KUMAR RAI Son of Dhanji Rai Resident of Village - Shaligram Singh
Ke Tola, P.S.- Barhara, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh, Advocate

For the State : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-04-2022 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 learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 395 of the Indian Penal

Code.

The case of the prosecution in brief is that 05

unknown miscreants had entered into the Bank in question,

whereafter they had, on pistol point, looted cash amounting to

Rs. 2,38,000/-

Learned counsel for the petitioner submits that the



petitioner has clean antecedents and the petitioner is not named in the F.I.R. and he has been falsely implicated only on the basis of confessional statement of co-accused Himanshu Singh and Satyajit Kumar @ Sajit. He further submits that the petitioner has no concern with the co-accused persons and Rs. 5000.00 has been recovered from the possession of the petitioner and the recovery of the amount is not looted amount and similarly situated co-accused person namely Nitish Kumar Singh has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 03.03.2022 in Cr. Misc. No. 43790 of 2021. Police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 01.06.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two 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/- (Rupees 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 Sessions Trial No. 209 of 2021 arising out of Ara Mufassil P.S. 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 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 witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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