

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60711 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- NIMACHANDPURA District- Begusarai

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Raja Sah @ Raja Ram Kumar S/O Gudar Sah R/o village- Balaha, P.S.-
Dandari, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-04-2022 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The application for grant of regular bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Nimchandpura P. S. Case No. 33 of 2021 registered for the offences punishable under Sections 384, 385, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, it is alleged that on 22.03.2021, the informant has received information that while the site supervisor and other workers were at their working place, three miscreants came and threatened to the supervisor, labour contractor and J.C.B. Operator and demanded extortion money of Rs. 20 lacs. It is further alleged that they have also fired but no-one has received any injury, thereafter, they fled away by giving threatening.

Learned counsel appearing on behalf of the petitioner



submits that during the investigation, on the basis of location of mobile number, one Mithun Paswan was apprehended and the name of the petitioner has transpired on the confessional statement of said Mithun Paswan. It is further submitted that during the course of investigation no material has come, even the location of mobile of the petitioner did not find at the place of occurrence, which speaks about non complicity of this petitioner in the present crime. It is lastly submitted that the investigation has been concluded and the charge-sheet has already been submitted. Apart from the fact that there is no allegation of tampering with the evidence and threatening to witnesses against this petitioner.

On the other hand, learned APP for the State opposes the bail application and draws the attention of this Court towards Paragraph No. 3 of the application which shows, the petitioner is found to be involved in three other cases. In reply to the aforesaid submissions, learned counsel for the petitioner submits that in all the cases, the petitioner is on bail.

Having considered the submissions made on behalf of the parties and taking into consideration the fact that the name of the petitioner has come on the confessional statement of co-accused and there is no other material which suggest the complicity of this petitioner in the present case and moreover, this petitioner is in custody since 30.06.2021, let the petitioner, above



named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Begusarai in connection with Nimchandpura P. S. Case No. 33 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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