

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62881 of 2021**

Arising Out of PS. Case No.-53 Year-2020 Thana- RAGHOPUR District- Supaul

MD. RAIS @ MD. RAHIS Son of Fida Hussain Resident of Village -
Saurajan Machha, P.S.- Raghapur, Distt.- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.
For the Opposite Party/s : Mr. A.P.P.

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

2 01-04-2022 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 the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for

the offence under Sections 392 of the Indian Penal Code.

The case relates to loot of cash and belongings of

the informant.

Learned counsel for the petitioner submits that the

petitioner is innocent and has not committed any offence

and he has falsely been implicated in this case. In fact, the

petitioner has been made accused in this case merely on the



basis of confessional statement of the co-accused, Randhir Kumar and Ranjeet Kumar Ram @ Laltu. Save and except confession, nothing is on record against the petitioner. Nothing has been recovered from the possession of the petitioner. No T.I.P. has been conducted as yet by the prosecution. Moreover, the co-accused, namely, Sonelal Yadav @ Sonu Kumar, has already been granted bail by this Court vide order dated 25.02.2022 passed in Cr. Misc. No. 60768 of 2021. The petitioner is rotting in judicial custody since 17.03.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four 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 Raghopur P.S. Case No. 53 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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