

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70072 of 2021

Arising Out of PS. Case No.-173 Year-2013 Thana- MADANPUR District- Aurangabad

Rajiv Ranjan Singh @ Sher @ Sheru Singh Son of Ram Nandan Singh
Resident of Village - Babhandih, P.S.- Amas, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Sr. Advocate Mr. Manish Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code.

According to prosecution case, on the written complaint of the informant namely Krishna Nandan Dwivedi, Cash Officer of Madhya-Bihar Gramin Bank, Branch of Aurangabad stating therein that on 28.10.2013, he alongwith driver Rajesh Kumar, Bank Guards namely Akhilesh Rai and



Nagendra Singh proceeded in Cash Van after encashment of cheque of Rs.43,00,000/- from Punjab National Bank, Aurangabad Branch and keeping the cash amount worth Rs.43,00,000/- (Rs. 43 lacks) for the distribution of the amount in different branches of Madhya Bihar Gramin Bank, kept and loaded in two boxes. It is further alleged that when their cash van reached before Rasulpur more in the way between Deo more and Deo cash van was slow down in speed, due to the arrival of the animals in front of the road. It has further been mentioned that as soon as the speed of the cash van became slow, the culprits in four motorcycles surrounded them and started firing indiscriminately injuring both the guards. The culprits after causing fire arm injuries to both of the guards, looted their arms and took away the box containing cash Rs.43 lacks from the cash van and fled away.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused namely, Rajesh Giri @ Bhim Singh and Sanjit Kumar @ Lalu. He further submits that nothing has been



recovered from the conscious possession of the petitioner and till date not TIP has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 26.08.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Madanpur P.S. Case No. 173 of 2013, subject to 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 witnesses, 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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