

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.576 of 2022

Arising Out of PS. Case No.-156 Year-2021 Thana- CHAPRA RAIL P.S. District- Saran

Rajeev Kumar@Raju Singh@Rajeev Kumar Singh Son Of Late Mokhtar
Singh Resident Of Village- Nachap P.S. Manjhi, Dist.- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-05-2022 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 401 and 414 of the Indian Penal Code and Section 20/22 of the N.D.P.S. Act.

According to prosecution case, on the basis of written report of the informant S.I. Devendra Kumar, I/C Rail P.P. Chapra Kacheri against five accused persons including the petitioner alleging therein that on 30.10.2021 he received secret information that members of Nashakhurani gang are moving in the station premises on which he sent information to Rail P.S.



Chapra. Then all the police personnel started checking platform Nos. 1, 2 and 3 and then they came in circulating area where five persons were found sitting near Durga temple. Seeing the police party, they all started fleeing but on chase they were apprehended who disclosed their names as the petitioner-accused persons and co-accused persons Pappu Prasad and Vishwanath Ram. On search, one old laptop, seven mobile phones were recovered from the possession of the petitioner Rajiv Kumar Singh @ Raju. From accused Ali Jaan one laptop, ten mobile phones and one keypad mobile phone were recovered. From possession of accused Ajay Ram eight keypad mobile phones and two screen touch mobile phones were recovered. From the possession of co-accused Pappu Prasad two screen touch mobile phones, one streep (30) pieces A.T. Van tablet, two pieces blade were recovered and from possession of co-accused Vishwanath Ram one streep (30) pieces A.T. Van tablets, one knife, two blades and one mobile phone were recovered.

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 it appears from the F.I.R. as well as seizure list that nothing Narcotic



recovered from the conscious possession of the petitioner. He further submits that number of mobile phones and one laptop has been recovered from the back pack of the petitioner. He further submits that petitioner run a shop for mobile repairing and at the time of occurrence he was coming from his house alongwith these mobiles which was kept in his back pack and only on the suspicion petitioner was apprehended alongwith other accused persons in the present case. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 31.10.2021.

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 Chapra Kacheri P.S. Case No. 156 of 2021, 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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