

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6877 of 2023

Arising Out of PS. Case No.-549 Year-2022 Thana- MAJHAULIA District- West Champaran

RAJU RAM @ RAJU KUMAR Son of Satan Ram R/V- Pakhanaha Bazar,
P.s- Bairiya Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 27.07.2022 in connection with Majhauria P.S. Case No. 549 of 2022, F.I.R. dated 26.07.2022 registered for the offence punishable under Section 399, 400, 401, 402, 403, 411, 413, 414, 420, 467, 468, 471, 472, 379 and 120B of the IPC and Section 66(C), 66(F) of the I.T. Act.

As per allegation in the FIR, four accused persons including the petitioner were apprehended by the police after chase and from the possession of the petitioner a number of ATM Cards, three smart phones and one Nokiya simple mobile phone were recovered from possession of the



petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that it appears from the FIR as well as the seizure list that altogether eight ATM Cards, three smart phones and one Nokiya simple mobile phone have been recovered from possession of the petitioner. Learned counsel for the petitioner submits that a number of ATM Cards and other articles have been recovered from possession of other co-accused persons but there is no complaint with regard to the ATM Cards in question and in fact the petitioner was not using the ATM Cards which were recovered from possession of the petitioner. Further submits that co-accused persons, against whom the same allegation and ATM Cards were recovered from their possession, namely, Pappu Kumar @ Aditya, Deepak Kumar @ Aryan and Rahul Kumar @ Rahul Kumar Baitha have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 15.03.2023, 24.03.2023 and 11.04.2023 passed in Cr. Misc. Nos. 68509 of 2022, 70924 of 2022 and 69142 of 2022 respectively and the police, after investigation, submitted chargesheet against the petitioner and



the petitioner is in custody since 27.07.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Majhaulia P.S. Case No. 549 of 2022, 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 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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