

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11557 of 2023**

Arising Out of PS. Case No.-145 Year-2022 Thana- BHAGWANPUR District- Vaishali

DHARAMRAJ KUMAR S/o Lalu Sahni R/o- Enayat Nagar, P.S.- Goraul,
Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kishor, Advocate

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

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

2 04-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 21.09.2022 in connection with Bhagwanpur P.S. Case No. 145 of 2022, F.I.R. dated 12.06.2022 registered for the offence punishable under Section 392 of IPC.

According to prosecution case, all the accused persons including the petitioner riding motorcycle stopped the informant and snatched his motorcycle, mobile phone, laptop, etc. at the point of pistol while he was returning from Rahul's house.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the



petitioner has been transpired during investigation on the basis of the confessional statement of co-accused-Vikash Kumar. Further submits that it appears from the seizure list that some looted article has been recovered from possession of the petitioner. Further submits that co-accused persons, namely, Kanhai Kumar @ Kanhai Sahani and Shakti Kumar have been granted bail by this Court vide order dated 13.04.2023 passed in Cr. Misc. No.73483 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 21.09.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

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 Additional Chief Judicial Magistrate-II, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 145 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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