

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11176 of 2023**

Arising Out of PS. Case No.-84 Year-2022 Thana- NAWADA District- Nawada

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AMAN KUMAR @ RAVAN SON OF SUJAY SINGH R/O VILL.-
MIRZAPUR, NAWADA, P.S. AND DISTT.- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

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

4 28-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 05.04.2022 in connection with Nawada Town P.S.Case No.84 of 2022, F.I.R. dated 30.01.2022 registered for the offence under Sections 395, 397, 427 of the Indian Penal Code and Sections 25(1-b) A/26/35/27 of Arms Act.

3. The prosecution story, in brief, is that the informant and his brother reached their house and as they were entering their house, 15 to 20 miscreants came there and slapped the informant and his brother. The further allegation is that the miscreants took away the utensils from the informant's house.

4. 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 on the basis of the self-confessional statement of the petitioner and his previous criminal antecedent and nothing has been recovered from conscious possession or the house of the petitioner and till date no TIP has been conducted by the prosecution. Further submits that similarly situated co-accused person namely Raju Mushar @ Raju Manjhi has been granted bail by a Coordinate Bench of this Court vide order dated 16.12.2022 passed in Cr. Misc. No. 54539 of 2022 and co-accused persons namely Dhiraj Kumar @ Dhiraj Raj, Vikram Kumar and Anil Manjhi have been granted bail by this Court vide orders dated 20.01.2023 and 25.01.2023 passed in Cr. Misc. Nos. 37367 of 2022 and 35212 of 2022 respectively and co-accused, namely, Shiv Kuamr Gupta @ Shiv Gupta has been granted bail by a Coordiante Bench of this Hon'ble Court vide order dated 04.03.2023 passed in Cr. Misc. No. 72643 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 05.04.2022.

5. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries six more cases other than the present one.



6. Considering the aforesaid facts, nothing has been recovered from conscious possession of the petitioner, till date no TIP has been conducted by the prosecution, similarly situated other co-accused persons have been granted bail and the petitioner is in custody since 05.04.2022, 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 C.J.M., Nawada in connection with Nawada Town P.S.Case No.84 of 2022 with the following conditions:-

(I) 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.

(II) 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.

(III) 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/her 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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