

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14191 of 2023**

Arising Out of PS. Case No.-340 Year-2022 Thana- SONEPUR District- Saran

RAJ RUP KUMAR @ RAJ RUP RAY @ RAJ RUP YADAV @RAJ Son of
Late Lal Babu Ray R/v- Nakta Diyara, P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Jha, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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

2 11-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 29.11.2022 in connection with Sonepur P.S. Case No. 340/2022, F.I.R. dated 18.05.2022, for the offences punishable under Sections 395 of the IPC but later on Section 412 IPC was also added.

According to prosecution case, 6-7 unknown persons entered into the bank and looted all cash and valuable article available in the bank and they ran away. After verification, it has been found by the informant that total 5,96,000/- has been looted by unknown persons along with mobile phones.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He



further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation on the basis of confessional statement of the co-accused, namely, Kunal Kumar and nothing has been recovered from conscious possession of the petitioner. He further submits that till date no T.I.P. has been conducted by the prosecution and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 29.11.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three criminal antecedent other than the present one.

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 C.J.M., Chapra, Saran in connection with Sonapur P.S. Case No. 340/2022, 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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