

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19386 of 2023

Arising Out of PS. Case No.-564 Year-2022 Thana- KANTI District- Muzaffarpur

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Raushan Kumar S/O-Vinod Sah Village- Chhapra Kali Mandir Ps- Kanti Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kanti P.S. Case No. 564 of 2022 registered on 18.08.2022 for the alleged offences under Sections 392, 395 and 412 of the Indian Penal Code.

3. As per prosecution case, 3-4 miscreants overtook the pickup van being driven by the informant carrying paint and on gunpoint and forcibly snatched the van. The name of the petitioner surfaced during investigation as one of the accused persons.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. There is no recovery of any incriminating material from



the petitioner and he has not been put to any Test Identification Parade. The name of the petitioner surfaced in this case on the basis of confessional statement of co-accused Rahul Kumar and except for this confessional statement, there is no material against the petitioner. Similarly situated co-accused Md. Sakim has been granted bail by a Coordinate Bench of this Court vide order dated 05.05.2023 passed in Cr. Misc. No. 14073 of 2023. The petitioner is in custody since 02.09.2022 and charge-sheet has been submitted. The petitioner has got criminal antecedent and is accused in seven such cases and he is on bail on six such cases.

5. Learned APP opposes the prayer for bail submitting that petitioner is a habitual offender and has got a number of cases pending against him.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the grant of bail to similarly placed co-accused persons and further considering the period of custody of the petitioner along with the submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist



Class, Muzaffarpur/court concerned in connection with Kanti
P.S. Case No. 564 of 2022, subject to the conditions mentioned
in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below.
- (iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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