

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34035 of 2022

Arising Out of PS. Case No.-684 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

CHIRAI @ RAUSHAN KUMAR Son of Dinesh Ray Resident of Village -
Sumers, Police Station- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Umesh Lal Verma

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 02-02-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Sadar
P.S. Case No. 684 of 2019, registered for the offences
punishable under Sections 395 and 397 of the Indian Penal
Code.

The prosecution case as emerging from the FIR is
that on 05.10.2019 at about 11:42 A.M. the petitioner and
his associates looted an amount of Rs. 8,05,115/- (Rupees
Eight Lakhs Five Thousand One Hundred and Fifteen Only)
from ICICI Bank, Gobarsahi on the point of pistol.

Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not named in the FIR and no recovery has been made from his conscious possession. He also submits that no TIP has been conducted till date.

He further submits that the petitioner has been languishing in jail since 10.03.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Sessions Judge-20, Muzaffarpur in connection with Sadar



P.S. Case No. 684 of 2019, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is



wrong, Ld. court below shall cancel the bail bond of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

ashishkr/-

U		T	
---	--	---	--

