

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36276 of 2023

Arising Out of PS. Case No.-295 Year-2018 Thana- RAXAUL District- East Champaran

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Ramashankar Kumar @ Pradhuman Kumar Son Of Dinanath Prasad Resident
Of Village- Uchidih, Ps- Adapur, District- East Champaran

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kaushlendra, Adv.

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-06-2023 Let the defect(s), if any, be removed within two weeks

from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Raxual P.S. Case No. 295 of 2018 dated 11.10.2018 lodged
under Sections 394 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons against whom
allegation of robbery of the motorcycle is there.

5. Learned counsel for the petitioner submits that
petitioner is in custody since 24.06.2020. He submits that the
name of the petitioner has been figured in this case by virtue of
confessional statement of co-accused, namely, Pulast Pandey
and the said Pulast Pandey has been granted bail by the Co-
ordinate Bench of this Court vide order dated 28.05.2019 passed
in Cr. Misc. No. 35036 of 2019.

6. Counsel submits that there are 4 criminal antecedent of the petitioner and in all the cases, he is on bail.

7. Learned counsel for the State opposes the prayer for bail and submits that there are 4 criminal cases pending against the petitioner and that aspect is necessary to be considered as all the cases are relating to either robbery or theft.

8. Upon specific query whether charge has been framed or not, counsel for the petitioner submits that as per his knowledge, charge has been framed in this case.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., East Champaran, Motihari in connection with Raxual P.S. Case No. 295 of 2018, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

10. Learned court below shall not accept the bail bond of the petitioner if the charge has not been framed in this case.

11. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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