

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40415 of 2023

Arising Out of PS. Case No.-142 Year-2022 Thana- NAUGACHIA District- Bhagalpur

RAJA KUMAR Son of Deven @ Devendra Singh Resident of village - Murli,
P.S. - Gopalpur (Rangra), Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

- 2 19-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail in connection with
Naugachia P.S. Case No. 142 of 2022 registered for the offences
punishable under Sections 392 of I.P.C.
3. As per prosecution case, four unknown miscreants
came on two motorcycle and showing fear of Katta snatched Rs.
1200/-, one mobile and motorcycle of informant.
4. Learned counsel for the petitioner submits that
petitioner is in custody since 25.11.2022. Petitioner bears four
criminal antecedents and he is on bail in all cases. Charge sheet
has already been submitted in the case and there is no likelihood
of tampering with the prosecution evidence. Learned counsel
further submits that petitioner is not named in the F.I.R. Learned



counsel orally submits that name of present petitioner has been surfaced on the basis of confessional statement of co-accused Bambam Yadav. Except confessional statement, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. No incriminating article has been recovered from conscious possession of the petitioner. Learned counsel specifically mentioned in Para 9 of his bail petition that petitioner was put on T.I.P. by the police but the informant did not identify the petitioner. Petitioner is innocent and has committed no offence as alleged in the F.I.R.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner keeping in view criminal antecedent of the petitioner.

6. Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of the parties and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - Ist, Naugachia, Bhagalpur in connection with



Naugachia P.S. Case No. 142 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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